THE

SAILOR'S Companion,

AND

MERCHANTMAN'S Convoy.

Shewing the MILITARY POWER of the

Lord *HIGH-ADMIRAL*,

AND

The Duty and Conduct of all Superior and Inferior OFFICERS of the ROYAL NAVY of *GREAT-BRITAIN*.

ALSO

The State of the NAVY in the Year 973. the Reign of King *Edgar*, and in 1171. King *Henry* the Second's Time, who fitted out a Fleet of 400 Sail to reduce *Ireland*, with the Success of that Expedition: Also an Account of the Fleets that were fitted out by the succeeding Kings; and a List of the NAVY as it stood on the first Day of *July*, 1740.

LIKEWISE

A Dissertation on the Honour of the FLAG; and on the *British* Right to the Sovereignty of the Seas: With seasonable Remarks in Relation to the Fishery on the Coasts, being monopoliz'd by Foreigners: Together with several useful and curious Particulars mention'd in the TABLE annex'd.

By J. COWLEY,

Author of *The Description of the* Windward Passage, *&c.*

The Whole very necessary for all Persons concerned or interested in MARITIME AFFAIRS of any kind soever.

DUBLIN:

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To the Right Honourable the

LORDS COMMISSIONERS

For Executing the OFFICE of

LORD-HIGH-ADMIRAL

OF

Great-Britain, Ireland, &c.

May it please Your Lordships,

THE principal Subject of the following Sheets being founded upon just Observations of that approv'd Œconomy, which subsists throughout the Whole of Your Lordships prudent Administration in that high Office, which, through HIS MAJESTY's great Wisdom, is committed to Your Care and Conduct; I thought this small Tribute, at least, was due to that just Merit, which gives Occasion to the publishing this brief Review of those salutary Precepts, whereby Your Lordships direct and govern the distant Actions of so many Thousands of Men, as are employ'd in His Majesty's Fleets, with the same Ease and Regularity, in the remotest Parts of the World, as they are in the nearest Ports of *Great-Britain.* Therefore I have ventur'd to

make this humble Dedication of my Labour to Your Lordſhips; chuſing rather to be cenſur'd for a Preſumption of this kind, than condemn'd for ſo great an Omiſſion, as, I apprehended, it would be, to be altogether ſilent; ſince 'tis from You, my Lords, that the whole receives Motion; and that Your Lordſhips (if I may be permitted to make the Compariſon) are, in effect, the *Primum Mobile* of that grand Complication of Machinery, (THE ROYAL NAVY) which ſupports the Dignity of the *Britiſh* Crown, and protects the Trade and Commerce of the Nation over the Face of the whole Earth.

WITH regard to myſelf: Tho' I have hitherto (unſucceſsfully) ſought for Opportunities of doing public Services; yet I ſhall now think it a great Honour done me, if this Volume happens to be acceptable to Your Lordſhips; and which I don't altogether deſpair of, when, from the Nature of the Thing, it will appear to be wrote with a View of being ſerviceable to the Public; which, as 'tis the beſt Recommendation it carries with it, ſo it is the beſt Apology can be made for whatever Defects may be found in it: But, however it may anſwer the Ends propos'd, I beg Leave thus publicly to declare myſelf, that I am with greateſt Deference,

YOUR LORDSHIPS

Moſt Obedient, and

Moſt Humble Servant,

July 1ſt, 1740.

J. COWLEY.

THE

PREFACE.

THE Maritime Power of the Island of Great-Britain *being the chief Support of that extraordinary Sway and Influence, which is attributed to its Negotiations in all Foreign Courts, and by which alone its Trade is protected, and extended all over the World; it ought not then to be any Wonder, that every* British *Subject should be very anxious to know the true State of the* Royal Navy, *from Year to Year, and of making a narrow Inspection into the Conduct, as well of them who have the Direction, as of those who have the Execution of its Affairs committed to their Charge; since the private Property and Interest of every individual Person is, in some or other Proportion, affected either by the good or bad Management of the Navy; without which, we should in a short time become as contemptible, as we now are formidable to our envious Neighbours.*

Notwithstanding that the Care which the Parliament annually takes, for the Honour Security, and Interest of the Nation, by making proper Provision for the Support of the Fleet, suitable to the Emergencies in being, or expectant, may be thought by some People, to be sufficient towards satisfying the Curiosity of the rest of his Majesty's Subjects in those Inquiries; and tho' the Administration of that high Office of Lord Admiral is at this time unquestionable; yet, as this Kingdom is indebted to the Merchants for its Wealth, and that from the frequent Opportunities which daily offer in the Course of their Commerce, they must be allowed to have a Knowledge, superior to most other People, of the natural Disposition and Interest of the Natives in other Countries, as well as of the Value of the mercantile Produce thereof; they seem therefore justly to claim some Attention to such Representations as they may make in a Body, in relation to Trade and Navigation, since it is repugnant to common Reason, to think that they could possibly have any Views of embarrassing the Government, thro' groundless Complaints upon that Head, at the same time that it is evident they must hurt themselves in their Traffic, if, thro' such fallacious Grievances and Misrepresentations, the former should be induced to come to an open Rupture with any neighbouring Power;

so

So that, however it may happen, that some few Members of that Body may with some Colour be thought ill-disposed, it is not conceivable, that so great and opulent a Body of People, as the Merchants of London *in general, with those of* Bristol, *&c. would combine against themselves, to destroy the very Foundation of their own Prosperity, by endeavouring to foment a Breach of the Peace of* Europe, *which is so much their peculiar Interest to have always establish'd; for nothing is more certain in the Course of this World's Transactions, than that Self-interest sits at the Helm of most People's Affairs, both in public and private Capacity, and steers their Inclinations accordingly, notwithstanding that, by some outward Actions, they would fain be thought to have public-spirited Views in their Undertakings, quite abstracted from any private ones.*

For the Satisfaction therefore of every body, and in order to display the Justness of that Œconomy, which subsists in every thing relating to the Management of the Royal Navy, *and to convince those who pretend to be more knowing than they really are, how that the Whole is calculated for the best Ends, and conducted in the most prudent Manner that can be devised, for the Honour of his Majesty, the Safety and Protection of Trade, and the Glory*

of

of the Nation, I have undertaken to write this short Treatise upon the foregoing Subject; believing that at this time it may be acceptable to every body, as it cannot fail of being useful to those, who in any Shape are concerned in Maritime Affairs, whether military or mercantile.

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THE SAILOR's COMPANION, &c.

NOtwithſtanding that the Fleets of *Great Britain* have been remarkable for ſeveral Ages paſt, for their great and ſignal Victories obtained from time to time over their Enemies; and that in the Reigns of ſome of our ancient Kings, there have been greater Numbers of Ships fitted out at different Times, upon certain Expeditions, than have been of late Years (of which I ſhall give ſome Inſtances preſently); yet that of a Royal Navy was never properly eſtabliſhed, until by King *Henry* the Eighth in the fourth Year of his Reign, *Anno* 1512. at which time, that King taking Umbrage at the mighty Naval Preparations of *France*, made an Augmentation of twenty-five large Ships of War to thoſe already in being; he likewiſe erected an Office for the Navy, and eſtabliſhed a certain Number of Commiſſioners, to whom the Charge of the Navy was committed, and whoſe Duty it was to inſpect into the State and Condition of the King's Ships, and to make a Report thereof to the Lord High-Admiral, in order to their being repaired or rebuilt, and ſupplied with every thing neceſſary for the public Service, according as the

case required it; for to that Time, the Establishment of the Naval Forces of this Kingdom seems to have been upon an auxiliary Dependency of the Sea-ports and Maritime Towns, who were under certain Conditions of furnishing their respective Quota's of Ships, for the King's Use, upon previous Notice given to them in that Behalf; after which, they all came to the appointed Rendezvous, and were then disposed of by the King's Order upon the Services intended. Upon this Augmentation, the King's Fleet at that Time consisted of no more than forty-five Ships, with which that of the *French* was soon after overcome. Of those Towns which furnished Ships for the public Service, the Cinque-Ports hereafter mentioned were the most noted; and whose Privileges still subsist, on Account of the Services, which they obliged themselves in particular to perform to the Crown, as shall be more fully taken Notice of in the proper Place.

In pursuance of what I have already observ'd, concerning the Number of the Ships of which the King's Fleets were composed in some former Reigns, being superior to those of late Years, I shall give the following instances; and to shew the great Power of the *Britons* in ancient Times, I shall go back as far as King *Edgar*, in the Year 973. It is recorded of him *, That he maintained four thousand Ships with Men proportionable, with which he used to sail for his Diversion in every Summer Season round this Island of *Great-Britain*, in four Divisions of a thousand Ships each. In Testimony of his great Dominion, his Titles are thus recorded: *Ego Ædgarus Anglorum Basileus, omniumq; Regum, Insularum, Oceaniq; Britanniam*

* Ranulphus Cestrensis, in Dee's Treatise of the *British* Monarchy, p. 54, &c. quoted by Hakluyt, p. 245.

circum-

circumjacentis, cunctarumq; Nationum, quæ infra eam includuntur, Imperator et Dominus.

In the Year 1171. *Henry* the Second of *England*, fitted out a Fleet of 400 Sail, in order to reduce *Ireland*; with which he sailed from *Milford-Haven*, with Intent to pursue that Conquest, to which his Generals (*Strongbow* Earl of *Pembroke*, and *Robert Fitz-Stephen*) had paved the way, by reducing *Dublin* and some other Places; they having been sent over by him at the Intercession of *Dermot Mac Murrogh*, one of the seven Kings of *Ireland*, who reigned over that Part called *Leinster*, (now one of the four Provinces of that Kingdom) to aid him against an Insurrection of his Subjects, fomented by some of his neighbouring Kings.

The Reduction of *Dermot*'s Vassals to Obedience, gave *Henry* an Opportunity of seeing the Country, and of knowing its Value, and the Weakness of its Monarchs, who continually harass'd each other with Wars and Depredations; and as *Strongbow* began to grow popular, as well as formidable to the Natives, the Jealousy which King *Henry* conceived at his Power, *&c.* with the covetous Motives of getting the whole Kingdom into his own Hands, induced him to undertake the above Expedition, which was done with as much Justice, as was the *Spanish* Conquest of *Mexico*, &c.

From this, and several other Instances, both in *England* and elsewhere, it is evident, how dangerous a thing it is, to introduce foreign Troops to mediate national Divisions; such being always watchful to take Advantages of the general Confusion, and to play the one against the other, until both are sufficiently weaken'd, so as, notwithstanding their being afterwards re-united, they are not able to withstand the Intruder. The latest In-

stance of this kind is evident in the Affairs of *Corsica*; and it would be the Fate of *Holland*, and other Powers too, if they were not always upon their Guard against the Insinuations of the same Court that has swallow'd up that Island, who, from the like Principles, would make no Scruple of extending its Power elsewhere after the same unjustifiable manner.

Anno 1190. King *Richard* the First set out on his Expedition to the *Holy Land*, with upwards of an hundred great Ships, besides above fifty Galleys: which, with the Increase of his Fleet at *Naples*, amounted in the whole to two hundred and fifty-four tall Ships, besides above sixty Galliots *.

In the Year 1210. King *John* fitted out five hundred Ships on an Expedition to *Ireland*, to quell some Commotions there: and oblig'd the *Jews* in *England* to bear the Charges of that Expedition.

This was, I suppose, in Consideration of the Privilege given to that People of settling here.

The same King (when the Pope had made a Donation of *England* to the King of *France*, and that the latter prepared to invade it) provided above seventeen hundred Sail of Shipping, in the Year 1213. to oppose the *French* Invasion.

In the Year 1295. *Edward* the First sent a Fleet of about 350 Ships, besides a very formidable Army, to make a Descent on *Guienne* in *France* †.

Anno 1338. King *Edward* the Third sailed with a Fleet of five hundred Ships over to *France*, to assert his Right to that Kingdom; and in 1340. he had a Fleet of 260 Ships of War, with which he defeated the whole *French* Fleet, consisting of four hundred Sail. The same Prince, in the Year

* Hackluyt. p. 10.

† Mr. Sec. Burchet.

1346.

1346. landed at *Labogue* with a Fleet of above a thousand Ships, and a numerous Army*; with which he soon after obtained the famous Battle of *Cressy*.

It appears by the Accounts given of the Naval Force of this Kingdom in that King's Reign, that the *English* Fleet consisted of 700 Ships, and 14151 Mariners, besides the Quota's of Foreigners, namely, *Ireland*, *Spain*, *Bayon*, *Guelderland* and *Flanders*, by whom 38 more Ships, and above 800 Mariners, were furnished; for in this great Navy, the King provided no more than 25 Ships, and somewhat above 400 Mariners, at his own Expence; the rest being furnished by the several Ports and Maritime Towns, as already mentioned, which in all were eighty-three; among which Number the City of *London* proved twenty-five Ships, and 662 Mariners, which was more than the King's Part; and even *Plymouth* provided 26 Ships, and *Fowey* 47.

As the Particulars of this ancient military Contribution, of the Maritime Towns of *Great-Britain*, may be an agreeable View to the present Age, in letting them see the ready Disposition of their Predecessors, in exerting themselves against their foreign Enemies, and in supporting the *British* Monarchs in the just Preservation of their ancient Sovereignty of the Seas; I shall here give a Transcript of the Towns, and their respective Quota's, as then proportion'd; the original MS. of which is said to be in the *Cottonian* Library, and is thus given by Mr. *Led.* N. H. p. 53. also by *Hackluyt*, with some immaterial Variation.

* Walsingh. & Froissard, quoted by Lediard.

ROLL of King Edward *the 3d's Fleet,* Anno 1346.

The *SOUTH* FLEET.

Furnish'd by	Ships	Mar.
The King	25	419
London	25	662
Aylesford (now) *Milford*	2	24
Meme (now) *Hoo*	2	24
Hope	2	4
Newhithe (now) *New Hyeth*	5	19
Margate	15	160
Motme	2	23
Feversham	2	23
Sandwich	22	504
Dover	21	336
Wight	13	220
Winchelsea	21	596
Weymouth	20	264
Lyme	4	62
Seaton	2	25
Sydmouth	3	62
Exmouth	10	193
Tegmouth	7	120
Dartmouth	31	757
Portsmouth	5	96
Plymouth	26	603
Lob	20	325
Yalye (now) *Yalm*	2	48
Fowey (now) *Foy*	47	770
Bristol	24	608
Tinmouth	2	25
Hastings	5	96
Romney	4	75
Rye	9	156

The

The *South* Fleet, continued.	Ships	Mar.
Hieth	6	112
Shoreham	26	329
Seaford	5	80
Newmouth	2	18
Hammowle-Hook	7	117
Hooke	11	208
Southampton	21	576
Lymington	9	159
Poole	4	94
Wareham	3	59
Swanzey	1	29
Ithercom (now) *Ilfra-combe*	6	79
Patrick-Stowe (now) *Padstowe*	2	17
Polerwan	1	60
Wadworth	1	14
Hendesse (now) *Cardiffe*	1	51
Bridgewater	1	15
Caermarthen	1	16
Cailchesworth	1	12
Mulbrook	1	12

Total of the *South* Fleet 488 } Ships, 9356 } Mariners.

The *NORTH* FLEET.

Furnished by	Ships	Mar.
Bamburg	1	9
Newcastle	17	414
Waltkrich (now) *Walwich*	1	12
Hartlepool	5	145
Hull	16	466
York	1	9
Ravenser (now) *Ravenspurg*	1	28
Woodhouse	1	12
Barton	3	30
Strokehith (now) *Stolkhithe*	1	10
Swyne-fleet (now) *Sun-fleet*	1	11

The *North* Fleet, continued.

	Ships	Mar.
Salt-fleet	2	49
Gryn fleet (now) *Grimsby*	11	71
Wain-fleet	2	44
Wrangle	1	8
Lynn	19	482
Blackney	2	38
Scarborough	1	19
Yarmouth	43	1905
Dunwich	6	102
Orford	3	62
Gofforord (now) *Goford*	13	404
Harwich	14	283
Ipswich	12	239
Merten (now) *Mersey*	1	6
Colchester	5	170
Broughtlynsea (now) *Brickelsea*	5	61
Whitbanes	1	17
Derwin	1	15
Boston	17	361
Suinhumber	1	32
Malden	2	32
Barton	5	61

	Ships.	Mariners.
Total of the *North* Fleet	215	5607
Total of the *English* Fleet	703	14963

Furnish'd by Foreigners.

	Ships	Mar.
Bayon	15	439
Spain	7	184
Ireland	1	25
Flanders	14	134
Guilderland	1	24
Total by Foreigners	38	806

The whole united Fleet { 741 Ships. / 15796 Mariners.

The

The vast Disparity between the Number of Men allotted to some Ships, to what there are to others, must be owing to the Difference in their Burthens.

It would carry me to a greater Length than the Design here intended, should I undertake to enumerate the many Instances which History affords, of the powerful Fleets formerly set forth by *Great-Britain*, the Reasons for which seem very plain, since by such a Contribution among the Ports, *&c.* the Expence to the Crown was but small; and those Armaments were got ready with still the greater Expedition, because of the Opportunity which every Town had, of employing a sufficient Number of Workmen, and of providing Sailors, without stagnating Trade, by laying on Embargoes, or impressing Men against their Inclinations for the public Service.

It was attended with this further Advantage: That in all Cases of any sudden Enterprizes or Expeditions to be undertaken against the Enemy's Country (*France* being seldom at Peace with *England*) those Ships were assembled, and in full Readiness for Action, at a very short Warning, without alarming the Enemy with previous Notice of Preparations and Designs, for several Months before their being ready to put to Sea, and which is the principal Cause, wherefore we have seldom succeeded in any Attempt, or Descents upon the Coasts of our Neighbours in *Europe* in time of War, as formerly. But this is to be observed, That the *British* Ships, in those Days, were not so large as they are at present; nor was the building and fitting them out so expensive as now; wherefore, on comparing the Quality of the Ships then made use of, with these of his Majesty's Royal Navy, it will be found, that our Naval Strength is much superior

to what it formerly was, without boasting of so great Numbers.

Having given this short View of the ancient State of the *British* Navy, I find it necessary to say something likewise in relation to that of the Admiralty.

The Office of Lord High-Admiral in Military Affairs, and of other Admirals.

THE Office of Lord High-Admiral of *England* is of so great Antiquity, that it is difficult to trace its Original; and therefore I shall refer that Part to the Curiosity of Antiquarians, and proceed only to take Notice of the Military Power annexed to it; that of the Civil being foreign to my Purpose.

The Lord High-Admiral seems to be the King's Viceroy of the Sea, to whom the Charge of all Naval Affairs is committed, both with respect to the Government of the Royal Navy, and the Command of it in Person; as also of determining both in a Civil and Military Capacity, of every Thing transacted below the first Bridge from the Sea, to and upon the Coasts, Ports and Rivers beyond the Sea, in all Parts of the World. He has the Appointment of all Officers for that Service, and the Power of issuing Commissions, or Letters of Marque, to private Ships of War, otherwise called Privateers; which is never done but in Cases of Reprizal, or of War being declared against another Prince or State.

Of late Years, this Office has been executed by Commissioners appointed by the Crown, generally consisting of seven in Number, under the Denomination of Lords Commissioners for executing the Office

Office of Lord High-Admiral of *Great-Britain*; having continued in that manner ever ſince the Year 1709, to which time it had been enjoyed by *Thomas* Earl of *Pembroke*, from the Death of his Royal Highneſs, Prince *George* of *Denmark*, who died in the preceding Year; he having held it from the 21ſt of *May* 1702, and therein he ſucceeded the ſame Earl of *Pembroke*, who was appointed to it by King *William*, in *January* 1701, the Office having been before that time executed by Commiſſioners as now.

It is a Place of ſo great Truſt and Advantage, that it is ſeldom or ever granted to any ſingle Perſon, but to ſome or other of the Princes of the Blood, or elſe to ſome prime Nobleman, in Conſideration of ſome eminent Services, or other prevalent Motives.

I ſhall now treat of this Office in the preſent Light in which it ſtands, and from thence ſhall continue the further Treatiſe of the Royal Navy in the preſent Eſtabliſhment, according to the Method propoſed; ſince from this Office the whole is branched out into that admirable Oeconomy which ſupports the Grandeur of the *Britiſh* Nation.

As it has been already obſerved, that the Office of Lord High-Admiral has for ſome Years paſt (as it now is) been executed by Commiſſion; ſo Care has been always taken, to conſtitute therein Perſons of Integrity, Capacity and Ability; and that ſome of the Lords Commiſſioners (particularly the firſt-named) be Perſons of Experience in Naval Affairs, and who have been conſpicuous for their Bravery and Conduct in the public Service.

The Royal Navy conſiſts of three Squadrons, *viz.* the Red, the White, and the Blue Squadrons; over each of which there is an Admiral in chief, beſides a Vice and a Rear-Admiral; in all nine

Admirals

Admirals, which are called Flag-Officers, whereof the Admiral of the Red is always Commander in chief of his Majesty's Fleet.

Next to these are appointed Commanders in chief of small Squadrons, upon certain Occasions, and generally are called Commodores, to whom the Command at least of three Ships of War is given by the Lords Commissioners of the Admiralty at his Majesty's Pleasure; but when a Fleet is sent out, it is put under the Command of some one or more of the Flag-Officers above-mentioned, according to what Number of Ships it is composed of for that particular Service, and for which he receives his Commission and Instructions from the Board of Admiralty.

The Admiral thus appointed has Authority (whilst out of the *British* Channel) to fill up all Vacancies of Officers Posts, which happen whilst he is abroad, unless it so happens, that upon Advice given to the Board, of a Vacancy in the Command of a Ship belonging to that Fleet, they may, perhaps, send a Commission for filling it up; otherwise the Appointment made by the Admiral is generally approved of, and confirmed by the Board on the Return home of the Fleet, unless there be some Reasons for the contrary.

The same Admiral is vested with Authority from the Lords of the Admiralty, to hold Courts-marshal as often as needful, for the Trial of Offences committed within his Jurisdiction, which is that of the Fleet under his Command; and to appoint a Person to officiate as Judge-Advocate, in case of the Absence of the Judge-Advocate of the Navy, or his Deputy.

If the Admiral so commanding a Fleet, be a Vice-Admiral, he needs only a Warrant in this behalf from the Board, and concerning the holding

ing Courts-marshal, &c. But if he be a Rear-Admiral only, he must have his Appointment by Commission to be Commander in chief, and likewise their Warrant in relation to Courts-marshal, as before-mentioned.

It is usual, in some particular Cases, to grant Commission to the Commander of a private Ship to hold Courts-marshal; but then his Authority, as Commander in chief, is limited to a certain Number of Days, during which the junior Commanders are required to be assistant to him therein; but this is never done but in the Absence of a Flag-Officer, and upon some extraordinary Emergency.

There are two other Offices subordinate to that of the Admiralty, namely, the Navy-Office and Victualling-Office; which are respectively managed by proper Commissioners appointed by the Crown, but at the same time receive their Orders directly from the Lords Commissioners of the Admiralty.

They of the Navy-Office are to take care, and cause to be built, repaired, refitted, paid off, and laid up, all his Majesty's Ships, according to the Orders they receive for that Purpose. All Payments in relation to the Navy, are made by their Order on their Treasurer; and all Victualling-Stores are provided and furnished by the Commissioners of the Victualling-Office, by Directions of the Commissioners of the Navy, in pursuance of their original Orders from the Board of Admiralty.

The same last mentioned signifies likewise to the Master of the Ordnance, by a Writing in form of a Letter, their Orders to require his procuring Guns and Ammunition, with all proper Stores for the Gunners, to be put on board such of his Majesty's Ships as are to be equipped for Service; and

upon

upon any Ships coming into Port to be laid up, or refitted, he is required to take in their Guns and Stores, and to lay them up in the proper Magazines until further Order.

Before the meeting of the Parliament every Year, the Lords Commissioners of the Admiralty are to lay a Memorial before his Majesty and the Privy-Council, praying that the State of the Royal Navy may be taken into Consideration, so as to be pleased to declare, what Number of Seamen he judges proper to be employed for the Service of the succeeding Year. According to his Majesty's Pleasure signified in that respect, the proper Estimates of Wages, Victuals, Wear and Tear of the Ships, *&c.* are drawn up, and laid before his Majesty in Council, to be approved of; and the Commissioners of the Navy having, by Direction of the Board of Admiralty, delivered in to the latter their Opinions, together with that of the Commissioners of the Victualling-Office, in what manner the necessary Provisions for the Men may be distributed with most Conveniency at the several Ports; and every Thing being properly regulated in consequence thereof, and approved of; the Commissioners of the Navy then receive Orders accordingly from the Board of Admiralty, which they likewise transmit to the Victualling-Office for due Execution.

In all Cases of War being declared against any Prince or State, his Majesty is apply'd to in Council, by Memorial of the Lords Commissioners of the Admiralty, praying that the Advocate for the Office of High-Admiral in the Admiralty Court, may be directed to prepare and lay before his Majesty, a Draught of a Commission, for his Majesty's Approbation, authorising them the Lords Commissioners, to impower the Courts of Admi-

ralty

ralty in foreign Parts under his Majesty's Dominion, to take proper Cognizance of all Captures, Prizes, Reprizals and Seizures, of all Ships and Goods belonging to the Enemy; and to proceed judicially upon, and condemn the same as usual in such Cases; and likewise praying, that his Majesty's Advocate General in the High Court of Admiralty, and the Advocate to the Office of High-Admiral, may be directed to prepare and lay before his Majesty, a Commission impowering them the Lords Commissioners to grant Letters of Marque and Reprizals, to Persons whom they shall think properly qualified, to seize all Ships, *&c.* belonging to the Enemy against whom War is declared, or to any within the Countries or Dominions of the Enemy, as also all other Ships, *&c.* which in consequence of any Treaties between his Majesty, and other Princes and States, are or may be liable to Seizure and Confiscation.

In pursuance of the like Application to his Majesty in Council, and of his Majesty's Directions thereupon, the Advocate to the Lords Commissioners in the Court of Admiralty, prepares, for his Majesty's Approbation, proper Instructions to be given to Commanders of private Ships of War or Merchant-men, to whom such Letters of Marque or Reprizals shall be granted as aforesaid, which Instructions are to the Effect hereafter mentioned. But before such Commissions or Letters of Marque are made out, the Parties applying for the same are obliged to give Bail before the Judge of the High Court of Admiralty, in the Sum of three thousand Pounds (in case the Ship carries 150 Men; and if a less Number, fifteen hundred Pounds) to keep up to their Instructions, and to be answerable for all Damages done contrary to the true Intent thereof; and (if the Crown does not

grant

grant to the Captors the whole of the Prizes) to cause to be paid to his Majesty's Order, one full tenth Part of all Prizes taken and condemned; which Prizes shall for that Purpose be appraised; likewise all Duties and Customs which shall be due to his Majesty out of any Goods, &c. so made Prize of.

Where such Application is made to any Governors, or others, in any of his Majesty's Plantations, &c. in *America*, or elsewhere, who are impowered to grant Letters of Marque as abovementioned; the like Bail or Security is to be given, under the same Restrictions and Conditions as aforesaid.

Upon his Majesty's approving of a Draught of the Commission, for impowering the Board of Admiralty to grant Letters of Marque, and of the Instructions for Commanders of Privateers, or Merchant-men, and that the Commission has afterwards passed the Great Seal, they are both registered in the High Court of Admiralty, and the Lords Commissioners issue out their Warrants to the Judge of the Court, to grant such Letters of Marque under the Seal of the same Court; upon his doing of which, he takes the aforesaid Bail, and annexes the Commander's Instructions to his Commission.

The High Court of Admiralty, and the Lieutenant and Judge of that Court, likewise the Courts of Admiralty abroad, are in like manner directed and required by Warrant from the Lords Commissioners of the Admiralty, to take proper Cognizance of all manner of Captures, Seizures and Prizes, of all Ships, Vessels, Goods, and other Things taken from the Enemy, either by any of his Majesty's Ships, or by any one of those commission'd by Letters of Marque, as also of all such

other

other Veſſels and Goods, as, in conſequence of any Treaties between his Majeſty, and any other Princes or States, may be liable to Confiſcation; and to proceed judicially in determining the Right of all ſuch Captures and Seizures, as before-mentioned. But when the Crown does (as in the preſent Caſe) grant to the Captors the Whole of the Prizes taken and condemned, without any Deduction; then the Diſtribution of the Prizes taken by any of his Majeſty's Ships is publiſhed by his Majeſty's Proclamation, wherein the Shares are regulated accordingly; which, in all Probability, will be in the ſame Proportions for the time to come, as they have been for the time paſt; and therefore, as no Proclamation has yet been iſſued, reſpecting the preſent War with *Spain*, I ſhall preſently lay down the manner of Diſtribution hitherto publiſh'd, which, as I have already obſerved, reſpects only the Royal Navy; the private Captors being left to their own Regulations, according to whatever Agreement ſubſiſts between the Owners and others concerned.

As for the Extent of the Juriſdiction of the Lords Commiſſioners for executing the Office of Lord High-Admiral of *Great-Britain*, it is over all his Majeſty's *Britiſh* Dominions, and all the Territories, *&c.* belonging to the Crown of *Great Britain*, in Parts beyond the Seas, poſſeſſed by any of his Majeſty's Subjects; and may properly be ſaid to be itinerant with all and every of his Majeſty's Fleets and Ships, in any Part of the World, under ſuch Regulations as ſhall be thought neceſſary by the Board.

The

The Order of Rank and Command in general.

THE Rank and Command eſtabliſhed concerning the Flag-Officers, has been already taken Notice of, in treating of the Squadrons, whereof the Royal Navy is compoſed, *viz.* the Red, the White, and the Blue: But only one Thing remains to be remark'd, which is, that tho' it is cuſtomary in the Land Service to grant Brevet Commiſſions to certain Officers, intitling them to Rank, without being actually veſted with Command ſuitable to that Rank (being as it were a Feather extraordinary in their Hats, or ſupernumerary Appointment to intitle them to an immediate Succeſſion to that Poſt, in caſe of Vacancy) it is quite the Reverſe in the maritime Way, there being no ſuch Thing practiſed in any Shape.

Upon this Occaſion, I muſt beg Leave to obſerve, that it is very juſtly diſapproved of; for by indulging Perſons with ſuch Titles, for the Purpoſes before-mentioned, it ſeems, in Effect, to foreſtal the Reward of Merit in others, and to be a Diſcouragement to thoſe of an inferior Rank to exert their Bravery upon ſeveral Occaſions; becauſe the Poſt to which they might, upon ſuch Occaſions, have ſome reaſonable Expectations to ſucceed unto in caſe of Seniority, is already pre-engaged, by this Brevet Commiſſion, to a Perſon who, perhaps, has obtained it, merely through ſome private Favour or Intereſt, no way comparable to the Conduct and Service of this inferior Officer, who now juſtly deſerves to be promoted.

I ſhall not take upon me to ſay, but that in ſome Caſes, there may be very good Reaſons for conferring

ferring these titulary Honours on some Genlemen; but in the former Case, I believe every unbiassed Person will join with me in the same Sentiments.

Seniority of Commission gives Rank to all Officers in the Sea-Service, as well as it does to those in the Land-Service, according to their respective Posts, in Equality of Degree or Commission; and whoever has not had the Command, at least, of a Twenty-gun Frigate, is not intitled to the Rank of a Captain.

No less a Number than that of three Flag-Officers are to compose a Council of War; whereof the Captain to the Admiral that commands the Fleet, is always to be accounted as one; and takes Rank next to the junior Rear-Admiral. But if so happens, that that Number of Flag-Officers be not to be had, and that there is a Necessity for holding a Council of War; the Commander in Chief of that Fleet is, at his Discretion, to call upon some of the senior Captains to assist therein.

The Captains of Post-Ships have the Command of all those who are Commanders of smaller Vessels.

But a junior Officer is not to be detained by a superior or senior Officer, on their accidental Meeting at Sea, or in Port, unless there be an absolute Necessity for so doing; and in that case, the senior or superior Officer (of whatever Rank or Degree) is to send an Account as soon as possible to the Board of Admiralty, with his Reasons for such Detainer, and his new Orders given to the Junior.

When an inferior Officer of any Degree happens to meet with a superior or senior Officer, either at Sea or in Port, he is to shew to the Superior, the Orders he is under; and notwithstanding, is to obey such other or further Orders, as

he

he shall receive from the superior or senior Officer, for his Majesty's Service; tho' the same may be repugnant to those already had. But, for this, the Superior is to account to the Board of Admiralty, as before-mentioned, and is answerable for the Consequences.

During the Absence of the Captain of any of his Majesty's Ships, the Command thereof devolves upon the first Lieutenant, and so successively to the second Master, in case of Absence of all the foregoing Officers of superior Degree to him: But if in time of Action, or by some other Accident, all the Officers before-mentioned shall happen to be slain, or wanting, then the Command of the Ship shall devolve upon the Boatswain, and so from him to the Gunner and Carpenter, successively, as the case shall happen.

I shall now proceed to give a succinct Account of the Duty of the respective Officers in their several Stations, from the Rank of a Flag-Officer, to the lowest Degree of Command on Board his Majesty's Ships of War; according to the Regulations and Instructions for that Purpose established for the Sea-Service.

Duty, &c. of the Flag-Officers.

1. THE Flag-Officer, or Chief Commander of a Fleet or Squadron, appointed for any particular Service, is, from time to time, as often as Occasion shall require, or Opportunity offer, to inform the Board of Admiralty of all his Proceedings; and this by Letter to the Secretary.

2. In

2. In every thing relating to the other public Offices of the Navy, he is likewise to acquaint them therewith, that so proper Order may be taken accordingly.

3. The Ships under his Command are to be visited by him, and he is frequently to exercise his Squadron, in order to discipline the Men, and make them active for Service.

4. Unless there be a sufficient Cause, he is not to give Orders for any Supernumeraries to be borne by any of the Ships under his Command.

5. He is not to have any private Interest in any Stores or Provisions which shall be purchased abroad; and unless there be an absolute Necessity, he is not to be concern'd in making any such Purchase.

6. He is to conform to the Rules of the Navy as nearly as possible, in all cases wherein he is to give Directions to the Naval Officers abroad.

Of a Captain or Commander.

1. WHEN, as such, he is appointed to any Ship, he is to visit her forthwith.

2. He is weekly, or oftener, as the case shall require, to send Accounts to the Admiralty, and Navy-Offices, of the Condition of the Ship, and the Forwardness she is in towards being fitted out.

3. He is to know the Qualities, or Trim of his Ship.

4. He is to be present at the Times of his Stores coming on Board; and to cause his Clerk to take exact Accounts of all Stores and Provisions, as they are brought on Board.

5. He is to take true Inventories of all his Officers Stores.

6. He is to lie in his Ship, unless otherwise he has leave from the Admiralty, or Commander in Chief.

7. When he has not a convenient Opportunity of applying in Person to the Commissioners of the Navy, he is to do it in Writing.

8. He is to keep a regular Muster-book.

9. He is to enter able Men only, and not to exceed his Complement.

10. He is to demand a Muster-book from the Clerk of the Cheque.

11. He is to be present at every Muster, and to assist the Clerk of the Cheque therein.

12. He is to muster in Ports, once a Week, and the like at Sea, all the Ship's Company, without using any Fraud therein.

13. He is to audit his Officers Accounts, and to be a Cheque on them.

14. He is, every Two Months, duly to transmit Muster-books to the Navy-Office.

15. He is to keep a Book of the Sick-men.

16. He is to set down the Names of the Run-men, at the End of the Muster-books.

17. He is to inform the Secretary of the Admiralty from time to time of such Men as run away from the Ship whilst at home.

18. He is to send a List to the Admiralty every Month, of all Tickets that he issues; and in the Tickets, he is not to discharge any Man, unless for some one of the Reasons following, which Reason he is likewise to express on the Ticket; *viz.* either by Order of the Admiralty, or his Commander in Chief; Unfitness for Service; Death; or Preferment in some other of his Majesty's Ships.

19. He

19. He is not to make any Alteration in any Part of his Ship.

20. He is not to suffer any of the Ship's Stores to be wasted or misapplied, but to take all possible Care thereof.

21. He is not, without apparent Necessity, to spare any Stores or Provisions to any other Ships; nor even then without the Direction of his commanding Officer.

22. He is to keep Centinels always posted at the Scuttles leading into the Store-rooms.

23. He is to permit all his Officers to enjoy their proper Cabbins, and not to make any Variation therein in any respect.

24. He is not to suffer any Suttlers or others to sell any Liquors or Suttleries to the Ship's Company.

25. He is not to make Awnings of his Sails, or to misuse them.

26. He is to be very careful about his Masts, to favour them as much as possible, and to set up his Rigging at seasonable Times.

27. He is to cause his Ship to be kept clean at all times, and that Air be let into the Hold as frequently as possible.

28. Also that his Store-rooms and Stores be frequently air'd.

29. He is to cause a due Survey to be taken of all Rigging and Stores, before he orders any of them to be cast.

30. He is to be as careful as possible of his Cables.

31. He is to see, that at the setting of the Watch, all Fire and Candle be extinguished; and that afterwards no Candle be burnt, but in Lanthorns; and that too by his Permission.

32. He is not to ſuffer any Perſon to ſmoak Tobacco, in any Part of the Ship, except in the Fore-caſtle.

33. He is impartially, and without Favour, to examine and rate the Ship's Company, before the Ship proceeds to Sea; and to make a Regulation for quartering the Officers and Men, and diſtributing them to the great Guns, ſmall Arms, Rigging, *&c.* and frequently to exerciſe the Ship's Company in the Uſe of the great Guns, and ſmall Arms.

34. He is not to carry any Woman, or foreign Officer to Sea.

35. He is to be careful of his Boats and Colours, and not to uſe thoſe laſt, but when it is neceſſary.

36. When the Ship is under Sailing-Orders, he is to acquaint the Secretary of the Admiralty, of all Officers (if any) abſent, together with the Cauſe of ſuch their Abſence.

37. He is to convoy all Merchant-Ships bound his way.

38. He is to keep a regular Journal, according to a certain Form preſcribed, and every ſix Months to ſend a Copy thereof to the Secretary of the Admiralty; and a Copy of the Whole to the Admiralty and Navy-Offices, at the Expiration of the Voyage.

39. He is to give an Account of the Condition of his Ship, and of his proceedings from time to time, to the Secretary of the Admiralty: And in whatſoever reſpects either that, or any other of the Offices, he is to correſpond duly with them therein.

40. He is to follow his Orders, and not to enter any Port, other than ſuch as his Orders direct him,

him, unless thro' absolute Necessity; and in that case, not to make any unnecessary Stay there.

41. To be careful in chusing a good and safe Berth in anchoring.

42. He is to permit Custom-house Officers to come on Board, and visit his Ship.

43. In meeting any foreign Ships at Sea or in Port, he is to demand *English* Sea-men out of them.

44. When there is an absolute Necessity, and not otherwise, he is to careen his Ship in foreign Parts; but at the same time to do it with the best Husbandry and Frugality.

45. He is not unnecessarily to hire Artificers for refitting the Ship; but to make his own Men the extraordinary Allowances prescribed, in order for their Encouragement; they, however, conforming themselves to the Number limited.

46. He is to take up Money abroad at the best Exchange, when obliged so to do.

47. He is to transmit home due Accounts of his Disbursements, and to give Advice of the Bills drawn to the proper Officers.

48. He is to put into the Hands of the proper Officers, all the Stores which are brought aboard.

49. He is to cause an exact Survey and Inventory to be taken, of all such Stores and Provisions, as shall remain unconsumed, in the Custody of any Officer, at the time of his Death, Suspension, or Removal.

50. Upon his own Removal, he shall produce to his Successor, his original Orders, which remain unexecuted, and shall deliver to him attested Copies thereof; as likewise a complete Musterbook; and shall send all his other Books and Accounts, to the respective Offices to which they relate.

51. He is to ſeal up in the Preſence, at leaſt, of two ſigning Officers, all the Books and Papers, both public and private, belonging to any Officer who dies on Board, or elſewhere; having ſuch Books, *&c.* on Board the Ship.

52. On his being removed by Commiſſion from one Ship to another, he is allowed to take with him the following Number of Men, including his Servants; *viz.* From a Firſt-rate, eighty; a Second-rate, ſixty-five; a Third-rate, fifty; a Fourth rate, forty; a Fifth-rate, twenty; and a Sixth-rate, ten.

53. In caſe of manifeſt Danger by Shipwreck, or any other Diſaſter, whereby his Ship may periſh, the Captain, with his Officers and Men, are to abide with the Remains, as long as poſſible, and uſe all their Endeavours to ſave all they can.

54. Upon the Ship's Return to the Port, where ſhe is directed to be laid up, the Captain is to give an exact Account of her Qualities, to the Commiſſioner of the Navy at the Port, and to ſend a Duplicate of the ſame to the Navy-Board; and at the ſame time likewiſe, he is to make up his Pay-books, and, together with his Officers, to attend the Payment.

55. He is to deliver the Ship clear to the proper Officers of the Yard where ſhe is to be laid up.

56. He is anſwerable for every one's Conduct in the Ship, and for his Clerk's Errors. He is not to receive any Wages without the proper Certificates; and is to be anſwerable for all Damages ariſing from his wilful Neglect, Omiſſion, Irregularity, or Miſconduct.

Of

Of a Lieutenant.

1. UPON receiving his Commiſſion, he is to repair on Board the Ship, and give due Obedience to the Orders of his Commander.

2. He is, in his Turn, to be upon the Deck in his Watch, and to make a Report to the Captain of all Irregularities.

3. He is to muſter the Watch, and ſee that good Order be kept in it.

4. When any Boats come, or go off, the Lieutenant of the Watch is to be made acquainted therewith.

5. He is to ſee that the Men be at their proper Quarters, and that in time of Action they perform their Duty reſpectively.

6. He is to keep a Journal, a Sea-book, *&c.* and when returned from a Voyage, he is to deliver Copies of the ſame to the Offices of the Admiralty and Navy.

7. The Sea-men are to be exerciſed by the youngeſt Lieutenant, who, in time of Action, is to be chiefly with them, to encourage and direct them in their Duty; and he is to ſee that the ſmall Arms are kept in good Order.

Of a Maſter.

1. HE is to repair on Board, and obey the Orders of his Commander and ſuperior Officers.

2. To take care of the Ballaſt, and to be careful in ſtowing the Ship's Hold.

3. To inſpect all the Stores and Proviſions ſent aboard; and if not good, or defective, to acquaint the Captain or Chief Officer on Board, thereof.

4. He is to ſee that the Rigging and Stores be duly preſerved.

5. He is to navigate the Ship, under the Directions of his ſuperior Officer.

6. He is narrowly to obſerve the Coaſts, Shoals, Buoys, Land-marks, *&c.*

7. He is to be careful that the Hawſe be kept clear, whilſt the Ship is at Anchor.

8. He is to be provided with proper Inſtruments for the Uſe of Navigation, and to keep a regular and perfect Journal, Sea-book, *&c.* and when the Ship is laid up, he is to deliver the ſame to the Navy-Office.

9. He is to be circumſpect about ſigning any Books, Accounts, Liſts, or Tickets; and not to ſign any ſuch, until he is thoroughly informed of the Truth thereof.

Of a Gunner.

1. TO receive the Stores into Charge, and to object againſt any that are bad.

2. To view the Powder-rooms, and ſee that they be in good Order for receiving the Powder therein.

3. To take in the Powder at the Places particularly appointed by the Board of Admiralty.

4. To

4. To ſtow the ſame duly, and ſee that the Doors of the Powder-rooms be ſecured, and faſt locked, and the Scuttles well ſhut; and afterwards to deliver the Keys to the Captain.

5. To ſee that no Perſon goes into the Powder-rooms, but by expreſs Order from the Captain.

6. To uſe all ſuch Precautions, as are injoined by the Admiralty, for the Prevention of Accidents by Powder.

7. That no more than Three Rounds of Parchment-cartridges be filled at a time.

8. He is not to uſe the additional Allowances of Stores, until the firſt be expended.

9. All periſhing Stores are to be ſurveyed and condemned.

10. He is not to ſuffer empty Powder-barrels to be ſtaved.

11. A proper Quantity of Powder and Shot is to be allotted and allowed for Exerciſe.

12. He is to ſee that the Guns be placed on their proper Carriages.

13. The Guns are not to be ſealed oftener than needful.

14. In time of Action, he is to reduce the Quantities of Powder by degrees.

15. He is to take due Care for preventing Damages to the Guns in the Ship's Hold.

16. He is to keep the Boxes of Grape-ſhot and Hand-grenadoes dry.

17. He is not to load the Guns with improper Mixtures.

18. He is to be careful of the Stores, and keep a regular Book of Expences.

19. He is not to ſtart any Hand-grenadoes.

20. He is to obſerve the Sights and Notches on the Guns, for the better taking Aim.

21. When he cuts up Cordage, he is to obſerve the Rules and Lengths preſcribed.

22. When new Supplies are wanting, he is to ſtate his Expences concerning the Stores conſumed.

23. He is to be careful and frugal of the Match.

24. He is to keep good Order and Decorum in the Gun-room.

25. After an Engagement, he is to cauſe a Survey to be made of the Remains of the Powder.

26. He is to keep an Inventory of all Arms and Utenſils ſent out of the Ship.

27. When the Ship is to be laid up, or refitted, he is to get her cleared in due time.

28. He is to take care that the Stores be all ſafely returned at the proper Office.

29. He is to make up his Accounts half-yearly, and then to ſign and deliver them to the Captain.

30. At the End of the Voyage, he is to paſs his Accounts with the Office of Ordnance, *&c.*

31. If he has any Complaints to repreſent againſt any Officers, he is to do it before the Ship be paid off.

32. All Gunners are to paſs an Examination.

33. He is to receive the Armourer's Tools.

Of the Armourer and Gunſmith.

1. THESE Officers are under the Appointment of the Board of Ordnance.

2. They are to obſerve the Gunner's Orders; to aſſiſt in the Receipt and Surveying the ſmall Arms, and to keep the ſame clean.

3. The

3. The Armourer's Tools are to be received by the Gunner.

4. In foreign Countries, the Armourer and Gunſmith are to attend aſhore on the Repair of the ſmall Arms.

5. At the End of the Voyage, the ſmall Arms are to be returned into the Store, clean, and in good Order.

Of a Carpenter.

1. HE is daily to viſit and inſpect all Parts of the Ship.

2. He is to take care of the Stores committed to his Charge, and of the Ship's Hull, Maſts, Yards, Bulk-heads and Cabbins.

3. He is to have proper Tools and Materials ready to repair Damages in time of Action.

4. When the Ship comes into Port, he is to give an Account of her Condition.

5. At the End of the Voyage, he is to paſs his Accounts.

6. If he has any Complaints to make againſt any Officers, he is to repreſent the ſame before the Ship be paid off.

Of a Purſer.

1. HE is to get the Proviſions, *&c.* on Board betimes.

2. He is not to receive any Proviſions on Board, but ſuch as are good.

3. He ſhall certify what Proviſions the Ship cannot hold, that ſo the Remainder may be otherwiſe ſupplied.

4. He is to produce Certificates of ſuch Proviſions as he receives on Board.

5. Every three Days he is to victual the Ship in Petty-warrant.

6. He is not to ſpend Sea-proviſions in Petty-warrant.

7. He is to provide the Ship with Neceſſaries, *viz.* Coals, Wood, Turnery-ware, Candles, *&c.*

8. He is to ſee that the Proviſions be well ſtow'd, and that the oldeſt be ſpent firſt.

9. He is to cauſe the bad Proviſions to be ſurvey'd by the proper Officers, and thoſe Proviſions that are condemned, to be returned, or thrown over-board.

10. Proviſions condemned after the time they were ſo loſt, are not to be allowed, without ſufficient Reaſon for ſo doing.

11. Condemned Butter is in no wiſe to be flung over-board.

12. He is not to diſcount his Credit, nor indent anew, 'till he is intitled ſo to do.

13. He is to cauſe a Survey to be made of Leakage of Beer.

14. He is not to be allowed for Leakage of Wine, Oil, or diſtilled Liquors.

15. He is to replace every particular Species iſſued for another, out of the next Supply.

16. He is to ſend Duplicates to the Victualling-Office.

17. He is to cauſe Surveys to be made of ſhort Proviſions in Cask.

18. The Proviſions or Stores are in no wiſe to be miſapply'd.

19. He

19. He may take up Money abroad, under certain Restrictions and Regulations.

20. In like manner he may purchase Provisions abroad, under certain Restrictions and Regulations.

21. He is not to be allowed Store-house-room and Commission-money, neither Sloops or Boats, but in Cases of Necessity.

22. He is to be allowed for Water purchased abroad.

23. He is to be allowed for all Losses of Provisions and Stores by Battle, or other unavoidable Accident.

24. He is to keep an exact and regular Muster-book.

25. He may sell Tobacco to the Seamen, not exceeding two Pounds *per* Month to a Man.

26. When he has Orders to victual other Ships Men, he is to follow certain Rules in so doing.

27. He is not to victual Supernumeraries without Order.

28. He is not to spare any Provisions or Stores, without Order.

29. He is to keep a Sick-book, a Slop-book, a Book of dead Mens Cloaths, and a Tobacco-book; all which he is to deliver into the respective Offices before the Pay of the Ship.

30. At the End of the Voyage, he is to pass his Accounts, in the manner prescribed by the Board of Admiralty.

31. He is to cause a Survey to be made of the Provisions, before they are returned into the Store.

32. When the Ship is to be laid up, the Victualling-Office is to send Vessels to bring away Provisions from the Ship.

33. He is not to sign any Papers, unless he be thoroughly satisfied of the Truth thereof.

34. If he has any Complaints against any Officers, he is to represent the same before the Ship be paid off.

35. He is to pass his Accounts within six Months after the Ship is paid off.

Of a Surgeon

1. HE is to provide himself with proper Instruments, also a Chest of Medicines, and to have the same viewed and approved; likewise when his Chest is recruited, the same in like manner is to be done.

2. He is to inspect the Necessaries sent on Board for the Use of the sick Men, and he is duly to issue them out as Occasion requires.

3. He is daily to acquaint the Captain, of the true State and Condition of the Men that are sick.

4. He is to keep Sick-tickets.

5. He is to take immediate and necessary Care of the wounded Men in time of Action.

6. He is to send along with the sick Men, to the Hospitals, an Account of their Distempers, and a particular Description of the Circumstances of their Ailments.

7. He is to keep a Journal of his Practice, and at the End of the Voyage he is to deliver in Duplicates of it, in order to its being examined.

Of the Master at Arms and Corporal.

1. THE Corporal is to be under the Direction of the Master at Arms; and where no Master is allowed, the Corporal is to do his Duty.

2. The

2. The Master is to have a Warrant from the Board of Admiralty.

3, He is to be observant of the Orders of the Lieutenant at Arms.

4. He is to exercise the Men every Day at the small Arms.

5. He is to see the Fire and Candles put out or extinguished at the proper Times.

6. He is to acquaint the commanding Officer of all Misdemeanors.

7. He is to visit every Boat that comes to, or goes from the Ship.

Of the Schoolmaster.

1. BEfore he is admitted, he must pass his Examination before the Masters, Wardens and Assistants of *Trinity-house.*

2. He is to produce Certificates of his good Behaviour.

3. He is carefully to instruct the Volunteers and other Youth of the Ship, in Reading, Writing, Arithmetic and Navigation.

4. He is to acquaint the commanding Officer of such as are idle.

Of the Cook.

1. HE is to take upon him the Care of the Meat in the Steeping-tub.

2. In stormy Weather, he is to preserve it from being lost.

3. He is to boil the Provisions, and deliver them out to the Men.

Concerning

Concerning Hospital-ships.

1. THE Hospital-ship is, over and above her Complement, to have a Physician, a Surgeon, four Mates, and six Men-assistants, a Servant to the Surgeon, four Washer-men and a Baker.

2. The Gun-deck is to be properly fitted up for the Reception of the sick Men.

3. The Men under Cure are to be subsisted by the Captain with fresh Meat, as often as may be, and with the newest and best Provisions in the Ship.

4. The recovered Men (when reported well) are to be sent for by their own Captains.

Duty of a Physician.

1. WHEN there is an Hospital-ship attending a Fleet or Squadron, he is to reside therein, otherwise in such as the Commander in chief shall appoint.

2. He is to observe the Admiral's Orders, and not to demand or take any Fees from his Patients.

3. He is to inspect the Chests of the Surgeons belonging to the Squadron.

4. He is to visit the Sick in the Ships of the Squadron.

Of a Chaplain.

1. HE is to obey the Orders of the Commander.

2. He is not to absent himself from the Ship without Leave.

3. He is to perform Divine Service, and to cause the Men to be called up to hear the same twice every Day, if no just Impediment to the contrary.

4. He

4. He is to admonish them against profane Swearing and Cursing, and against all other Vice and Immorality, and, by his own Conduct, to shew them a good Example.

Having gone through the particular Duty of the respective Officers of his Majesty's Ships, I shall next proceed to the Instructions given to the Commanders of private Ships of War, or Letter of Marque-men.

Abstract of the Instructions given by the Admiralty to the Commanders of Privateers, or Letter of Marque-men.

1. THEY are authorized, by virtue of their Commissions, to seize all Ships of war, and all Vessels whatsoever, as also the Subjects, Vassals, Goods and Merchandizes belonging to the Prince or State, against whom War is or shall be declared; and likewise all other Ships and Vessels which may have contraband Goods on board: But they are not to commit any Hostilities, nor take any Prizes within the Harbours of Princes and States with whom his Majesty is in Amity; nor in any Rivers or Roads within the Reach of the Cannon of such Princes or States.

2. They are to bring all Prizes which they shall take, either to some Port of this Kingdom, or else to carry them to some or other of the Plantations or Colonies belonging to his Majesty, where Courts of Admiralty are constituted, according as it shall be most convenient to them, in order to their being legally condemned, and adjudged as Prizes.

3. They

3. They are to produce before the Judge of the Court of Admiralty, where the ſaid Prize is to be condemned, three or four of the principal Perſons who were belonging to, or were taken with the ſaid Prize, in order to their being examin'd upon Oath, concerning the real Property and Intereſt of the ſaid Goods and Merchandizes, *&c.* ſo taken. They are likewiſe to deliver all Papers whatſoever to the Judge, eſpecially the Commiſſion of the Commander of the Ship or Veſſel taken, and the Liſt of the Seamens Names which ſhall have been found on Board ſuch Prizes; and make it appear by Oath of ſome Perſon or Perſons, that the ſame Papers, *&c.* were actually found on Board ſuch Ship or Veſſel at the time of Capture: And to that End the Captain or Commander is to be very circumſpect and careful, in ſecuring the Commiſſion and Liſt of Seamen belonging to ſuch Prize; and to cauſe three or four of his Ship's Crew to take ſpecial Notice of, and remark them, and of the Seizure and Delivery of them to the Commander, and to cauſe ſuch of his ſaid Crew to ſet their Mark upon the ſaid Commiſſion and Liſt, *&c.* that ſo upon Occaſion they may be able to ſwear to the Identity of the ſame.

4. They are not to alienate or embezzle, nor to ſuffer to be alienated or embezzled, any Thing whatever belonging to the Prize, before Judgment thereupon be regularly given, in ſome or other of the ſaid Courts of Admiralty, that the ſaid Ship and Goods are lawful Prize. Neither are they to kill any Perſon or Perſons belonging to ſuch Prize in cold Blood; but to treat them as in ſuch Caſes is uſual and cuſtomary.

5. They are not to wear the King's Colours, *viz.* the Union-jack and Pendant; but they may wear a Pendant, and likewiſe a red Jack, having

the

the Union described in a Canton, at the upper Corner of it next to the Staff; besides the Colours which are commonly worn by Merchant-ships.

6. They are not to attempt or do any Thing contrary to the true Meaning and Intention of any Article or Articles, or of any Treaty or Treaties, which is or are stipulated or depending between the Crown of *Great Britain* and its Allies, or against the Subjects of such Allies, or their Properties, *&c.*

7. After due Condemnation of a Prize, according to Law, the Captors are at Liberty to sell and dispose of such Prizes, and the Goods and Merchandizes which are on Board the same, and condemned, except only such Goods and Merchandizes, as by Direction of any Act of Parliament, must be deposited, in order for their being exported.

8. They are required to be aiding and assisting to any Ship or Vessel belonging to any of his Majesty's Subjects, whenever they shall find them attacked by the Enemy.

9. Before such Commissions or Letters of Marque are delivered out, the Persons suing out the same, are to deliver in Writing, under their Hands, to the Board of Admiralty, or to the Lieutenant or Judge of the High Court of Admiralty, an Account of the Ship's Name and Burden, together with the Names of the Captain and Owners, the Number of Guns and Men she carries, and for how long time she is victual'd.

10. No Person or Persons is or are to be reputed or challenged as Offenders against the Laws of the Land, who shall serve on Board any Merchant-ships, having such Letters of Marque or Reprizal as before-mentioned.

11. They

11. They are from time to time to keep a regular Correſpondence with the Secretary of the Admiralty, and to inform him, according to the beſt of their Knowledge, or ſo far as they can diſcover, of the Motions or Deſigns of the Enemies Ships; and likewiſe of thoſe of their Merchant-ſhips, and whether they are outward or homeward bound.

12. Upon due and timely Notice given them, they are ſtrictly to conform themſelves to all ſuch further and other Orders and Inſtructions as they ſhall receive in his Majeſty's Behalf.

13. Any Commander acting under the aforeſaid Commiſſion, and who ſhall depart from, or violate the foregoing Inſtructions, ſhall be ſeverely puniſhed, and ſhall be obliged to make full Reparation to all injured Perſons, upon due Complaint and Proof made of any Misbehaviour, *&c.*

Shares of Prizes taken by any of his Majeſty's Ships of War, proportioned by Proclamation, on the Crown's granting the Whole to the Captors; which Grant (reſpecting the preſent War with Spain*) took place on the 4th of* January 1739, *as to Captures in* Europe, *and takes place on the 4th of* June 1740, *as to Captures in any other Part of the World.*

1. TO the Flag-Officer, if any ſuch be concerned in the Capture, one eighth Part of the Whole.

2. To the Captain, in ſuch Caſe, two eighth Parts; but if there be no Flag-Officer intitled to a Share, the Captain is then to have three Eighths.

3. To

3. To the Marine-Captain, if any, the Lieutenants of the Ship, and Master, one eighth Part.

4. To the Marine-Lieutenants, if any, Boatswain, Gunner, Carpenters, Masters, Mates, Surgeon and Chaplain, one eighth Part.

5. To the Midship-men, Carpenter's Mates, Boat-swain's Mates, Gunner's Mates, Corporal, Yeoman of the Sheets, Coxwain, Quarter-Masters Mates, Surgeon's Mates, Yeoman of the Powder-Room, and Serjeant of the Marines, one eighth Part.

6. To the Trumpeters, Quarter-Gunners, Steward, Carpenter's Crew, Armourer, Cook, Steward's Mate, Cook's Mate, Gunsmith, Coopers, ordinary Trumpeters, Swabbers, Barber, able Seamen, ordinary Seamen, Volunteers by Warrant, and Marine-Soldiers, if any, two eighth Parts.

7. If there be no Marines on Board, the Officers and Soldiers of Landmen, if any, have the same Allowance as is appointed to Marine-Officers, and Soldiers; but the Shares of any Officers who shall be absent at the time of Capture, are cast into the Dividend last mentioned, *viz.* the Trumpeters, Quarter-Gunners, *&c.*

Regulations concerning Ceremony and Respect.

1. ALL Flag-Officers are to be received on Board his Majesty's Ships, with a Guard under Arms, and Beat of Drum, according to the following Method, *viz.*

2. For the Admiral, or Flag-Officer commanding in chief, a March. For an Admiral, three Ruffles. For a Vice-Admiral, two. For a Rear-Admiral, one.

3. When

3. When any of the foregoing Officers paſs by any of his Majeſty's Ships, with their Flags at the Head of their Boats, the like Ceremony is to be obſerved reſpectively by the Ships which they paſs by.

4. The firſt Captain to the Admiral, and Commander in Chief of the Fleet or Squadron, is to be received on Board by a Guard, without beat of Drum.

The ſame, concerning Colours.

1. ALL Officers are forbid to wear any Colours, but ſuch as belong to their Rank, except when the King, or ſome of the Royal Family are on Board.

2. When an Officer that wears a Flag, or broad Pendant, is ſlain in Fight, his Flag or Pendant ſhall not be taken down, while the Enemy is in Sight; but Notice of his Death ſhall immediately be given to the Commander in Chief, and to the commanding Officer of the Squadron to which he belongs; and when an Officer next in Command, ſhall leave his own Ship, to repair on Board of that of the deceaſed Commander, the ſame Precaution and Order is to be obſerved, with reſpect to the Colours, *&c.* worn by the Succeſſor.

3. The Flag-Officers are to wear Colours at the Head of their Boats. Privateers are to wear a red Enſign, with the Union-jack, in a Canton, at the upper Angle next the Staff; likewiſe a red Jack, with the Union-jack in a Canton, at the upper Angle, next the Staff.

4. Merchant-ſhips are to wear the ſame Enſign as Privateers, but a white Jack, with a red St. *George*'s Croſs paſſing thro', but not to wear any Pendants.

5. All

5. All Ships wearing Flags or Pendants, not having a Right so to do; the Commanders of such Ships are liable to be prosecuted for the same in the Court of Admiralty, and the Flags and Pendants so worn may be seized.

6. Any foreign Ships wearing false Colours in any of his Majesty's Roads or Ports, are liable to Attachment or Arrest, (if being admonished to the contrary) they persevere therein.

The Same, concerning Salutes.

1. ALL Salutes are to be made with the Guns of the Upper Deck.

2. The Admiral, and Commander in Chief of the Fleet, is to be saluted by

3. Flag-Officers, with fifteen Guns; for which he is to return thirteen.

4. He is to be saluted by the Captains, with seventeen Guns; which he is likewise to return with thirteen.

5. A junior Flag-Officer, saluting his Superior or Senior, is to give him thirteen Guns; and if they both bear their Flags on the same Mast, the Return is to be equal; but if the junior Flag-Officer be of lower Rank, then the Seniors Return is to be eleven Guns only.

6. When a Captain salutes an Admiral of the White or Blue, he is to give fifteen Guns to each; and to Vice, and Rear-Admirals, thirteen only; the Returns for which, are to be eleven Guns from each.

7. When a Flag-Officer is saluted by two or more of his Majesty's Ships, he is not to make any Return 'till all have done; and then he may make a Return with such a Number of Guns as he shall think reasonable.

8. When

8. When two Squadrons happen to meet, the two Commanders in Chief only are to exchange Salutes.

9. When ſingle Ships meet a Squadron, with more than one Flag, they are to ſalute the principal only.

10. Salutes are not to be repeated by the ſame Ships unleſs, they have been ſeparated at leaſt ſix Months.

11. Captains are not to ſalute one another. A Flag-Officer, commanding in Chief, is, upon the firſt hoiſting his Flag, to be ſaluted by all the Ships preſent, with ſuch a Number of Guns as are allowed according to the foregoing Regulations.

12. Foreigners not taking in their Flag, and ſtriking their Top-ſail, on meeting any of his Majeſty's Ships, in his Majeſty's Seas, as far as *Cape Finiſterre*, are to be compelled to it. And ſuch of his Majeſty's Subjects as neglect it, are to be informed againſt.

13. His Majeſty's Ships are not to ſtrike to any in his Majeſty's Seas, nor to any foreign Ships in other Parts, unleſs they have firſt ſtruck, or do, at the ſame time, ſtrike to them.

14. Upon all Occaſions, the Commanders of his Majeſty's Ships are to maintain his Majeſty's Honour, to give Protection to his Subjects, and not to injure his Friends or Allies.

15. A foreign Admiral ſhall receive Gun for Gun, when he ſalutes any of his Majeſty's Ships. If the Foreigner be a Vice-Admiral, the Admiral ſhall return two Guns leſs. If he be a Rear-Admiral, the Admiral and Vice-Admiral ſhall return two leſs. If the Salute be from a Captain only, Flag-Officers ſhall give two Guns leſs, and Captains ſhall return an equal Number.

16. In Salutes to foreign Places, if the Ship carries a Flag, the Flag-Officer is first carefully to inform himself of the customary respect shewn to those of other crowned Heads; and then to insist on the same to be paid to his Flag.

I can't well quit this Part of the Subject, without taking Notice how tender all Officers of the Royal Navy are, (and justly) in preserving the Honour of the *British* Flag, from being incroached upon, in any Part of the World, tho' in the Port of another Prince, of which I shall give some late Instances, upon very remarkable Occasions.

In the Year 1704, when his present Imperial Majesty laid Claim to the Crown of *Spain*, in which he was supported by the *British* Arms; and having, on that Occasion, paid a Visit to her late Majesty Queen *Anne*, at *Windsor*, while the Fleet under the Command of Sir *George Rooke*, waited to refit at *Portsmouth*, after the great Storm that happened about that time; he was afterwards conducted on board the same to *Lisbon*, in the River of which, he arrived on the 25th of *February*. His Majesty was on Board the Admiral in the *Royal Catherine*, and in passing up the River, the Admiral was saluted by all the Forts and Castles, with a triple Discharge of their Cannon, striking their Flags three several times before they fired. As to this Part of the Ceremony, it was a Royal Salute to the King of *Spain*.

The Fleet anchored a League below the King's Palace, and there waited, till the Ceremony for the Reception of the King of *Spain*, by the King of *Portugal*, and the Manner of supporting the Dignity of the *British* Flag, was agreed on and settled; inasmuch as the King of *Portugal*, was to receive his Majesty of *Spain* on Board the Admiral. In the Debates upon this Head, the King

of

of *Spain* propoſed to Sir *George Rooke*, at the Deſire of his *Portugueſe* Majeſty, that upon the King's coming on Board, in his Veſſel of State, and ſtriking his Standard, the *Engliſh* Flag might be ſtruck likewiſe, at the ſame time; and when his Catholic Majeſty, with himſelf, ſhould go off from the Ship, his Standard might be hoiſted, and the Admiral's Flag continue ſtruck, till they were on Shore. To this the Admiral replied, That while his Majeſty remained on Board, he might command the Flag to be ſtruck when he pleaſed; but that whenever he left the Ship, he was himſelf Admiral, and obliged to execute his Commiſſion, by hoiſting his Flag. Both their Majeſties were ſatisfied with theſe and other Reaſons, given by the Admiral; and ſo, having adjuſted every thing accordingly, the Manner of executing it was as follows.

On the 27th, the Fleet went up the River, and anchored over-againſt the Royal Palace, the Caſtles on both Sides the River continually firing. In the Afternoon, the King of *Portugal*, with the two Princes, his eldeſt Sons, and ſeveral of the Nobility of the firſt Rank, embarked on a noble Brigantine, rowed by forty Men, cloathed in crimſon Velvet, laced with Silver, attended by the reſt of the Nobility, in Barges and Feluccaes, and went on Board the *Royal Catharine*.

When his Majeſty came by the Ship's Side, he ſtruck his Flag; and when he came into the Ship, Sir *George Rooke* ſtruck his Flag, and let fly his Streamer, and ſaluted him with five and twenty Guns, which was taken by the whole Fleet, and anſwered from on Shore. His Catholic Majeſty received the King of *Portugal* at the Ladder-head, and waited on him to his Cabbin, giving him the Right-hand, while he was in the Ship. After a ſhort

Stay

Stay there, the two Kings went into the Brigantine. When they put off, both Ships hoisted their Flags, which had remained struck, while the King of *Portugal* was on Board the Admiral; and Sir *George* gave two Salutes, of five and twenty Guns each, which was followed by the rest of the Fleet.

It appears from this, that no Precedence was given to the Royal Standard of *Portugal*, even in the King's own Presence; for he struck his Standard, before he went on Board the Admiral, who still kept his Flag hoisted, till the King got into the Ship; and at the putting off afterwards with the King's Brigantine, they both hoisted their Flags together.

17. Foreign Places may be saluted by Captains, with as many Guns as has been customary, upon good Assurance of an equal Number being returned.

18. The Persons of Foreigners may be saluted, at the Commander's Discretion, upon coming on Board any of his Majesty's Ships abroad, in a manner suitable to the Occasion, and Quality of the Persons visiting; but if any Commander in Chief, or senior Captain be present, his Leave must first be had, and the Commander so saluting is accountable for any Excesses in the Abuse of that Liberty.

19. If any Merchant-ships (subjects, or Foreigners) salute the Admiral of a Fleet, they are to be answered with six Guns less; and with four less from other Flag-ships; and two less from Men of War commanded by Captains.

20. If two or more Merchant-ships together make Salutes, no Returns are to be made till all have done; and then, by such a Number of Guns as shall be thought proper; but no second Return at all is to be made.

21. Dukes or Ambassadors are to be saluted at coming on Board, and going off, with fifteen Guns;

Guns; and other public Miniſters, or Perſons of Quality, are to be ſaluted with eleven, or leſs Number, according to their Rank, and Degree of Quality.

22. Public Feſtivals are to be ſolemnized by his Majeſty's Ships, when in Port, with ſuch a Number of Guns (not exceeding one and twenty each Ship) as the Officer commanding in Chief ſhall judge proper.

23. His Majeſty's Ships and Forces are not to ſalute each other. The Ceremonies at Funerals are to be obſerved, according to the Rules and Orders preſcribed by the Admiralty.

24. Where any of his Majeſty's Ships are, no Merchant-ſhips are to fire any Guns after the Watch is ſet.

Concerning Convoys.

1. THE Commanders of Convoys are to give Inſtructions to their Convoy; and, before they ſail, are to ſend a Liſt of them to the Secretary of the Admiralty.

2. They are to wear a Top-light.

3. They are to keep in Sight of their Convoy, and protect it.

4. They are to inform againſt ſuch Maſters of Ships, as misbehave themſelves.

5. The Commander in Chief may give Orders to thoſe under his Command, to repeat his Signals, if he thinks proper.

6. When different Convoys happen in Company, they are to continue ſo, as long as their Courſes lie together; and, in all thoſe Caſes, the oldeſt Commander of a Convoy ſhall command in the firſt Poſt, and ſo on.

7. The

7. The Commanders of different Convoys are to carry Lights, and repeat Signals, as Flag-Officers.

8. Convoys are to ſail like Diviſions; and Signals are to be made at Separation.

9. Commanders of Convoys are to take under their Care, the Ships of his Majeſty's Friends and Allies.

10. The Commanders are not to receive any Gratification.

Rules of Diſcipline.

1. THE Commanders are to ſhew good Examples to their Men, and to puniſh Vice.

2. They are to ſee that Divine Service be regularly performed, twice in every Day.

3. Articles of War are to be ſet up in ſome public Place in the Ship, for convenient View; and are to be read to the Ship's Company once a Month.

4. Curſing, Swearing, and Drunkenneſs, in Officers or Seamen, is to be puniſh'd inſtantly, according to certain Rules preſcribed.

5. In giving of Puniſhment, Captains are not to exceed twelve Laſhes; but if the Crime deſerves a greater Puniſhment, they are to inform againſt the Offender, and in the mean time, may put him under Confinement.

6. A Captain has not Power to puniſh or diſcharge a Commiſſion or Warrant-Officer; but may ſuſpend or confine him, till Information be given to a Commander in Chief, or to the Secretary of the Admiralty.

7. No Officer under the Captain, is allowed to inflict Puniſhment.

Rules concerning sick and hurt Seamen.

1. A Convenient Place is to be set apart, in every Ship, for sick and hurt Men.

2. They are to be attended Night and Day, by proper Persons appointed for that Purpose by turns.

3. Cradles, and other Conveniencies, are to be made for sick Men.

4. Fresh Fish is to be caught for them.

5. They are not to be sent into Hospitals attending the Fleet, or ashore, unless it be inconvenient to keep them on Board their own Ships.

6. They are to be sent ashore by Ticket, together with their Cloaths and Bedding, and the Captain may order them Slops, if needful.

7. In the landing them, care is to be taken, that they be duly attended, and furnished with proper Carriages and Necessaries.

8. A Commission-Officer is to go, twice a Week, to the Hospital, to receive recovered Men; and may receive those of other Ships, when they are at a Distance, and that it is required by the Agent.

9. Sick Men may be supplied with Slops on Shore, when necessary.

10. Captains are to correspond with the Office for Sick and Wounded, about his sick Men.

11. Commanders in Chief, and the Commissioner of the Navy, are to visit the Hospitals at the Ports, and to hear and redress Complaints and Grievances.

12. Captains are to take Care of their sick and wounded Men, in foreign Parts.

Regula-

Regulation of Provisions.

A TABLE of daily Allowance of Provisions to every Man.

Sundays.	ONE Pound of Pork, and half a Pint of Peaſe.
Mondays.	One Pint of Oatmeal, and two Ounces of Butter.
Tueſdays.	Two Pounds of Beef.
Wedneſdays.	Half a Pint of Peaſe, a Pint of Oatmeal, two Ounces of Butter, four Ounces of Cheeſe.
Thurſdays.	The ſame as on *Sundays.*
Fridays.	The ſame as on *Wedneſdays.*
Saturdays.	The ſame as on *Tueſdays.*

Daily Allowance beſides, to every Man: One Pound of Biſcuit, and one Gallon of ſmall beer.

The whole weekly Allowance per *Man; beſides all the Freſh Fiſh which is caught, and diſtributed without any Deduction for it, is,*

Seven Pounds of Biſcuit.
Seven Gallons of Beer.
Four Pounds of Beef.
Two Pounds of Pork.
One Quart of Peaſe.
Three Pints of Oatmeal.
Six Ounces of Butter.
Twelve Ounces of Cheeſe.

1. Commanders may, when the Service requires it, ſhorten this Allowance; but muſt take Care, that the Men be punctually paid for it.

2. No Officer is ſuffered to be at whole Allowance, when the Men are ſhortened.

3. In foreign Voyages, ſome of theſe Species of Proviſions may be changed; and Wine, Brandy, Flour, Rice, *&c.* given in the room of it, according to a ſtated Rule of Proportion for that Purpoſe.

4. Victualling Veſſels are to be diſpatched, and in no wiſe to be detained.

5. Proviſions muſt be ſent on Board, without Charge to the Purſer, and delivered into the Slings of the Ship.

6. Beef may be iſſued in the room of Pork, in caſe of Want of the latter; *viz.* three Pounds of Beef inſtead of two Pounds of Pork.

7. A proportion of Flour and Suet is to be iſſued in lieu of Beef, one Day in every Week.

8. In caſe of Neceſſity, Proviſions may be ſupplied by a Commander in Chief; or in urgent Caſes, by a Captain, by a Warrant to the Agent.

9. Proviſions damaged thro' Careleſsneſs, are to be paid for by them who are the Occaſion of it.

10. Proviſions are to be frequently look'd into, and due Care is to be taken of them.

11. No Proviſions are to be refuſed, till they are ſurveyed.

12. When they are ſpared to another Ship, they are to be made good by a new Supply, from the Agent.

13. Freſh Meat is to be allowed twice a Week, inſtead of ſalt Meat, according to a ſtated Proportion, where it can conveniently be done, when a Ship is in Port, either at home or abroad.

14. If there is a Want of Proviſions in his Majeſty's Ships, Prize-Proviſions may, in that Caſe, be iſſued to them.

Regu-

Regulations concerning Short-Allowance-Money.

1. THE Captain is to make out Short-Allowance-Lists.

2. Every three Months, the Short-Allowance-Money is to be paid, when in foreign Parts, by Money taken up by the Purser, on Bills of Exchange, for that End.

3. The Commanders in Chief are to attest those Bills, and to controul the Payment; and the Surplus of any such Money is to go to the next Payment.

4. Captains are to do the same likewise, as the Commander in Chief, if alone.

5. Pursers are to send the Lists home.

6. The Buying of Short-Allowance-Money is strictly forbid.

7. The Ship's Company is to be paid according to sterling Money, and to have the Benefit of the Exchange.

Conduct in relation to Prizes.

1. PRIZES are not to be broke open, till condemn'd in the Admiralty Court.

2. Privateer's Commissions are to be carefully secured; but if none be found, they are to be committed as Pirates.

3. All Papers whatsoever, found on Board, ought to be secured, and produced to the Judge of the Admiralty; likewise some of the Company belonging to the Prize, especially the chief Officers, are to be examined by the same Judge.

4. Prisoners who are his Majesty's Subjects, are to be strictly observed; and to be examined before a Magistrate.

The Allowances of Men, and Servants to Officers.

1. WHEN the Lord High-Admiral goes to Sea, he is under no Limitation of Number.

2. The Admiral, and Commander in Chief of the Fleet, is allowed fifty.

3. Admirals are allowed thirty; Vice-Admirals, twenty; and Rear-Admirals, fifteen; of which may be borne on the Ship's Books, as Servants, to the Admiral, and Commander in Chief of the Fleet, sixteen; to Admirals, twelve; and to Vice and Rear-Admirals, ten.

4. The Captains are allowed four Servants, in every hundred Men of their Compliment.

5. The Lieutenant, Master, Second Master, Purser, Surgeon, Chaplain, and Cook, in all Ships, down to sixty Men inclusive, one Servant each.

6. The Boatswain, Gunner, and Carpenter, in all Ships down to a hundred Men, inclusive, each two Servants; and from a hundred to sixty Men, one Servant.

7. No Servant to be allowed on the Ship's Books, under thirteen Years of Age, unless the Son of an Officer; and in that case, not under eleven.

8. Officers are not to receive any Wages, but for their own Servants.

9. Servants to standing Warrant-Officers, are to be bound by Indenture, at least for five Years.

Gratuities to the Relations of Officers, and others, slain in Fight by the Enemy.

1. TO a Widow, a full Year's Pay; and one third as much to an unmarried Orphan.

2. Posthumous Children are to be esteem'd equally as Orphans.

3. Where

3. Where there is no Widow of the Deceased, a Mother, who is a Widow, indigent, and above fifty Years of Age, is intitled to equal Bounty with a Widow of the deceas'd.

4. The Relations of Officers of Fire-Ships are to have the same Bounty, as those of Officers of the like Rank, slain in Fourth-Rate Ships.

5. Captains are to set down the Names of the Slain, at the End of their Muster-Book, and upon what Occasions.

N. B. *Of those said to be slain in Fight, it is to be understood of those slain in Tenders, or in Boats, or on Shore, as well as those slain on Board the Ships; as also in Fight with Pirates, or in Encounters with Friends by Mistake; and Persons dying of their Wounds after Battle.*

Gratuities to wounded Officers and Seamen.

1. IF an Officer receives a Wound, whereby he loses an Eye, or a Limb; or the total Loss of the Use of a Limb, or that shall be of equal Prejudice to the Habit of the Body, with the Loss of a Limb; he shall receive a full Year's Pay, be allowed the Expences of the Cure, (if not performed at his Majesty's Charge) and continue in Pay during the Time of his Cure.

2. Ships under the Third-rates, to be esteem'd as Third-rates, with respect to the Year's Gratuity.

3. Volunteers are to have the same Bounty as Lieutenants.

4. Officers receiving Wounds, not amounting to the Loss of a Limb, nor of equal Prejudice to the Body, are allowed only the Charges of the Cure, and the Continuance of Pay.

5. Warrant and inferior Officers and Seamen, hurt in the Service, receive the Benefit of the Chest at *Chatham*, according to the Rules and Constitutions thereof.

N. B. *The Words* wounded, *are comprehended in all the several Cases with those slain in Fight, whether on Board, or on Shore.*

Pensions to superannuated Officers.

1. COmmission-Officers have Pensions or Allowances settled on them, as their Case deserves, and as his Majesty thinks fit.

2. Officers, whose Employments are constant, being admitted to Superannuation, receive an annual Pension equal to their Pay, in the Ship of the highest Rate they have served in.

3. Pensions to Masters are equal to half their Pay; and Surgeons have the same Pensions as Masters, from a First-rate, and so on.

4. Warrant-Officers, who by Age and long Service, are worn out, and incapable of discharging their Duty, are to be maintained during the rest of their Lives.

5. Boatswains, Gunners, Carpenters, Pursers, and Cooks, (whose Employments are constant) must have served full fifteen Years; and Masters and Surgeons (whose Employments are not constant) must have served eight Years, in their respective Offices, before they can apply for Superannuation; and then must be examined, as to the State of their Body and Mind.

Allow-

Allowances of Table-Money.

1. THE Admiral, and Commander in Chief of the Fleet, as likewise, Admirals and Vice-Admirals, commanding in Chief, are allowed twenty Shillings a Day for their Table, both in home, and foreign Voyages.

2. The Table-Money to the Admiral, and Commander in Chief, begins and ends with their Sea-Pay.

3. The Table-Money to Admirals and Vice-Admirals, commanding in Chief, takes Place from the Date of their Commissions to command in Chief, and continues to the Day of the Expiration of that Command.

The Establishment of Sea-Wages in this present Year 1740.

	l.	*s.*	*d.*
TO an Admiral, and Commander in Chief of the Fleet, *per Diem* —	05	00	00
To an Admiral — — —	03	10	00
To a Vice-Admiral — —	02	10	00
To a Rear-Admiral — —	01	15	00
To the First Captain to the Admiral, and Commander in Chief of the Fleet — — —	01	15	00
To the second Captain, and the Captains of other Admirals —	01	00	00
To the Captains to Vice-Admirals	00	16	00
To the Captains to Rear-Admirals —	00	13	06

☞ But if a Vice-Admiral serves in a First-rate, or a Rear-Admiral in a Second-rate, their Cap-

tains are to have the proper Pay of the Ships. And for that End, Flag-Officers are to give their Captains Certificates of the Number of Days they have served under them, that they may be paid accordingly.

		l.	*s.*	*d.*
To the Secretary of	The Admiral of the Fleet, *per Annum*	300	00	00
	The Admiral of the White, or Blue, commanding in Chief — —	200	00	00
	A Vice, or Rear-Admiral, commanding in Chief —	150	00	00
	A Commander in Chief with a Captain under him —	100	00	00
To the Clerks of	The Admirals of the White and Blue, not having the chief Command —	100	00	00
	Vice and Rear-Admirals — —	50	00	00
To the Physician, when any, *per Diem*		01	00	00
To the Deputy-Treasurer, when any		00	06	08
To a Deputy Judge-Advocate, when Courts-Martial require his Assistance, *per Diem*, during the Time the Court subsists —		00	08	00
To a Provost-Marshal, in the like Case — — —		00	04	00
To a School-Master, the Pay of a Mid-ship-man, *pro rata*; and *per Annum* — —		20	00	00

A TA-

A *TABLE* of the Officers Titles, Number, and Wages, in each Rate, according to the present Establishment, *per* Month of 28 Days.

OFFICERS in	No. 1st Rate.				No. 2d Rate.				No. 3d Rate.				No. 4th Rate.				No. 5th Rate.				No. 6th Rate.			
		l.	*s.*	*d.*		*l.*	*s.*	*d.*		*l*	*s.*	*d.*		*l.*	*s.*	*d.*		*l.*	*s.*	*d.*		*l.*	*s.*	*d.*
Captains	1	28	0	0	1	22	8	0	1	18	18	0	1	14	0	0	1	11	4	0	1	8	8	0
Lieutenants	6	7	0	0	6	7	0	0	4	5	12	0	3	5	12	0	3	5	12	0	1	5	12	0
Masters	1	9	2	0	1	8	8	0	1	6	6	0	1	5	12	0	1	5	2	8	1	4	0	0
Second Ditto, and Pilot of the Yatchts	0	3	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Masters Mates	6	3	6	0	4	3	0	0	3	2	16	2	2	2	7	10	2	2	2	0	2	2	2	0
Midship-men	24	2	5	0	24	2	0	0	16	1	17	6	10	1	13	9	6	1	10	0	4	1	10	0
Schoolmasters	0	0	0	0	0	0	0	0	1	1	17	6	1	1	13	9	1	1	10	0	0	0	0	0
Captains Clerks	1	2	5	0	1	2	0	0	1	1	17	6	1	1	13	9	1	1	10	0	1	1	10	0
Quarter-masters	8	1	15	0	8	1	15	0	6	1	12	0	4	1	10	0	3	1	8	6	2	1	6	0
Quarter-masters Mates	6	1	10	0	6	1	10	0	4	1	8	0	4	1	8	10	3	1	6	0	2	1	5	0
Boatswains	1	4	0	0	1	3	10	0	1	3	0	0	1	2	10	0	1	2	5	0	1	2	0	0
Boatswains Mates	4	1	15	0	4	1	15	0	2	1	12	0	2	1	10	0	1	1	8	0	1	1	6	0
Yeomen of the Sheets	4	1	12	0	4	1	10	0	4	1	8	0	2	1	8	0	2	1	6	0	1	1	6	0
Coxswains	1	1	12	0	1	1	10	0	1	1	8	0	1	1	8	0	1	1	6	0	1	1	6	0
Master Sailmakers	1	1	15	0	1	1	15	0	1	1	15	0	1	1	14	0	1	1	12	0	1	1	10	0
Sailmakers Mates	1	1	8	0	1	1	8	0	1	1	8	0	1	1	8	0	1	1	8	0	1	1	8	0
Sailmakers Crew	2	1	5	0	2	1	5	0	2	1	5	0	2	1	5	0	1	1	5	0	1	1	5	0
Gunners	1	4	0	0	1	3	10	0	1	3	0	0	1	2	10	0	1	2	5	0	1	2	0	0
Gunners Mates	4	1	15	0	4	1	15	0	2	1	12	0	1	1	10	0	1	1	8	0	1	1	6	0
Yeomen of the Powder-room	2	1	15	0	2	1	15	0	2	1	12	0	1	1	10	0	1	1	8	0	1	1	6	0

Quarter Gunners, one to four Guns	0	1	6	0	0	1	6	0	0	1	5	0	0	1	5	0	0	1	5	0	0	1	5	0
Armourers	1	1	5	0	1	1	5	0	1	1	5	0	1	1	5	0	1	1	5	0	1	1	5	0
Gunsmiths	1	1	5	0	1	1	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Carpenters	1	4	0	0	1	3	10	0	1	3	0	0	1	2	10	0	1	2	3	0	1	2	0	0
Carpenters Mates	2	2	0	0	2	2	0	0	1	1	16	0	1	1	14	0	1	1	12	0	1	1	10	0
Carpenters Crew	12	1	6	0	10	1	6	0	8	1	5	0	6	1	5	0	5	1	5	0	4	1	5	0
Pursers	1	4	0	0	1	3	10	0	1	3	0	0	1	0	10	2	1	2	5	0	1	2	0	0
Stewards	1	1	5	0	1	1	5	0	1	1	5	0	1	1	3	4	1	1	0	8	1	1	0	0
Stewards Mate	1	1	0	8	1	1	0	8	1	0	8	0	1	1	0	8	0	0	0	0	0	0	0	0
Cooks	1	1	5	0	1	1	5	0	1	1	5	0	1	1	5	0	1	1	5	0	1	1	4	0
Surgeons	1	5	0	0	1	5	0	0	1	5	0	0	1	5	0	0	1	5	0	0	1	5	0	0
Surgeons first Mates	5	2	10	0	4	2	10	0	3	2	10	0	3	2	10	0	2	2	10	0	1	2	10	0
Ditto second Mates	5	2	0	0	4	2	0	0	3	2	0	0	3	2	0	0	2	2	0	0	0	0	0	0
Ditto third, fourth and fifth Mates	5	1	10	0	4	1	10	0	3	1	10	0	0	0	0	0	0	0	0	0	0	0	0	0
Masters at Arms	1	2	5	0	1	2	0	0	1	1	17	6	1	1	13	9	1	1	10	0	1	1	10	0
Corporals	2	1	15	0	2	1	12	0	2	1	10	0	2	1	10	0	2	1	8	0	1	1	6	0
Trumpeters	1	1	10	0	1	1	8	0	1	1	5	0	1	1	5	0	1	1	5	0	1	1	4	0

Fire-

	Fire-ships at 5th Rates Pay. No Officers.	Hospital Ships, at 5th Rates Pay, No Officers.	Store ships, at 5th Rates Pay No Officers.	Sloops of 100 to 60 Men, at 6th Rates Pay	Bomb-vessels and Sloops, of 50 to 40 Men ditto.	Yatchs of 50 Men, ditto Pay.	Yatchts of 40 to 30 Men, ditto.
1	Captains.	1	1	1	1	1	1
1	Lieutenants.	0	1	1	0	0	0
	Masters.	1	1	0	0	0	0
1	Masters Mate.	1	1	1	1	0	0
2	Midshipmen.	2	2	2	1	1	1
1	Captain's Clerks.	1	1	1	1	1	1
2	Quarter-Masters	2	2	2	1	1	1
1	Quarter-Masters Mates	1	1	1	0	1	0
1	Boatswain	1	1	1	1	1	1
1	Boatswains Mate	1	1	1	1	1	1
1	Coxswains	1	1	1	0	0	0
1	Master-Sail-maker	1	1	1	1	0	0
1	Sailmakers Crew	1	1	1	0	0	0
1	Gunners	1	1	1	1	1	1
1	Gunners Mates	1	1	1	1	1	1
1	Yeoman of Powder-room	1	1	1	0	1	0
	Quarter-Gunners	0	2	1	0	1	0
1	Armourers	1	1	1	1	0	0
1	Carpenters	1	1	1	1	1	1
1	Carpenters Mate	1	1	1	1	1	1
1	Carpenters Crew	1	2	2	1	0	0

1 Stewards	1	1	1	1	0	0
Cooks	1	1	1	0	0	0
Surgeons	1	1	1	1	1	1
Surgeon's second Mates	4	1	1	0	0	0
1 Corporals	0	1	1	0	0	0

The following Company are allowed at 1 *l.* 4 *s.* 0 *d.* *per* Month each, *viz.*

Midshipman Ordinary	Swabber
Cook's Mate	Cooper
Cockswain's Mate	Able Seamen
Yeomen of the Boatswain's Room	Captain's Cook
	Ordinary Trumpeter

The following Company are allowed at 19 *s.* *per* Month each, *viz.*

Chaplain
Ordinary Seamen
Shifter
Barber
Gun. Taylor

The

The Pay of Flag-Officers, commences from the Date of their Commiſſions, or Orders to repair to their Squadrons; and continues to the Day they ſtrike their Flag, by Order.

The Pay of Captains and Lieutenants commences from the Date of their Comiſſions, unleſs they are appointed in the Place of an Officer removed, who is to enjoy his Pay, till he is relieved by his Succeſſor.

On the Death of a Captain, a Lieutenant commanding in his Place, enjoys the Pay and Allowances of a Captain, till ſuperſeded by another Captain.

All Commiſſions to Captains and Lieutenants, are to be entered in the Navy-Office.

Commiſſion or Warrant-Officers, who quit their Employments abroad without Cauſe, are to be diſmiſſed from the Service.

Rules concerning the carrying of Lights.

1. THE Admiral of a Fleet carries three Lights on the Poop, and one on the Main-top.

2. The Vice-Admiral carries two on his Poop, and one on his Main-top.

3. The Rear-Admiral carries one on his Poop, and one on his Main-top.

4. The Vice-Admiral of each particular Squadron carries only two on his Poop, and the Rear-Admiral one.

5. In foul Weather, or dark Nights, when the whole Fleet carry their Lights; then for Diſtinction, the Rear-Admiral carries two Lights at the Enſign-ſtaff; one a Yard above the other.

Instructions extracted out of two Acts of Parliament, passed in the first Year of his present Majesty's Reign, relating to the Navy, *&c.*

1, THE Wages of Volunteers are to commence from their Entry, and to be paid in Advance, two Months Wages; also may be supplied with Slops at first coming on Board.

2. Seamen who remove voluntarily from one Ship to another, or enter in Exchange for others, are not intitled to Advance-money.

3. If the Ships be in any Port of *Great-Britain*, or on the Coasts thereof; two Months Wages in six is to be paid to inferior Officers and Seamen, or to the legal Attornies of such as desire it, if the Ship be at a farther Distance; and the same to be done every six Months, while the Ship is in Commission.

4. At the End of Eighteen Months, if the Ship shall be in any Port of *Great-Britain*, or on the Coasts thereof, twelve Months Wages shall be paid to the whole Ship's Company, and the same at the End of every eighteen Months.

5. The Captains are not to under-rate turned-over Men, and are to send Lists with them.

6. A whole Ship's Company turned over, is not intitled to the Benefit of the Act of Parliament.

7. In case volunteer Seamen can be preferred in any other Ship, they shall be discharged.

8. No Letter of Attorney is to be valid, unless made revocable, and attested by the Captain, Clerk of the Cheque, or Mayor of a Town.

9. Captains

9. Captains are to discourage Seamen from selling their Wages.

10. Tickets of deceased Seamen are to be sent by every convenient Opportunity, to the Navy-Board, that their Wages may be paid to their Executors, *&c.*

11. Seamen distressed in foreign Parts, are to be received on Board by Captains and Commanders.

Abstract of some particular Laws and Customs of the Sea, relating to the British *Dominions.*

1. THE King having an inherent Right in the Persons, and to the Service, of his natural-born Subjects, (especially Mariners, and Seafaring People) so he may consequently restrain them from foreign Service, or recal them by Proclamation, when abroad; therefore our Commanders (according to Instructions) may take such by Force, if detained after being demanded.

2. It seems reasonable (after Caution given upon declaring War) to search and take Subjects, and military Stores and Utensils, belonging to the Enemy, out of a neutral Ship; tho' that Right is not yet fully determined by the Law of Nations.

3. Ships of a neutral Nation (in Cases of War) having Goods on Board proper for the Enemy's Service, may be detained; and on Failure of proving that they belong to Subjects of that neutral Nation, as they pretend, they may be condemned as Prizes, tho' actually bound to some Port of an Ally.

4. Tho'

4. Tho' by an Act of the 12th of *Charles* II. Gun-powder and Fire-arms are admitted lawful Merchandize for Exportation; yet the King may restrain it by virtue of the same Act, when there is occasion so to do; and if afterwards taken, they are liable to be confiscated, by the Law of Nations.

5. If two Princes or States were in Confederacy against a third, and that a Ship of one of the Confederates, was plundered by the Enemy, and left adrift, but recovered by the other Confederate's Subjects, and afterwards forcibly taken from the latter, by those of that Confederate, whose Subjects at first lost her; and that on their bringing her to *England*, she is claimed by a Lord of a Manor, as his Royalty in being originally a Derelict; yet she is no Perquisite of Admiralty, nor Royalty to the Manor; but ought to be restored to the first Owners, on paying Salvage to those who recovered her after being plundered and left as aforesaid.

6. Vice-Admirals have no Right or Interest in Prizes brought in by Ships of War, or Privateers commissioned by the Admiralty.

7. The Captors of a Prize actually taken in Port, are intitled only to what Share the Crown thinks fit to grant them, or else the Admiralty, if so that the said Perquisite is not reserved to the Crown from the Admiralty, to which otherwise it is a Perquisite.

8. If any of his Majesty's Ships be taken by the Enemy, and afterwards be retaken by another of his Majesty's Ships, before she be carried into Port, or the Enemy's Fleet, the Captors are intitled only to such Reward as the Crown shall think fit.

9. A *British* Ship of War retaken from the Enemy, after being upwards of two Years in their Possession, is not claimable by the Crown.

10. The

10. The Commander of any of his Majesty's Ships, releasing any Ship or Vessel of the Enemy's after seizing her, and taking out Part of her Loading, is highly punishable, both by the Statute of the 13th *Charles* II. §. 16. and otherwise by the Statute of last Sessions of Parliament hereafter mentioned: But if a Ship is taken from an Enemy, and she appears to be so disabled by the Captors, as that they have no Hopes of bringing her into Port, they may justify taking Ransom for her.

11. The Salvage for retaking any Ships from the Enemy, is particularly ascertained and proportioned, by the same Statute of last Session; likewise the Method of obtaining Judgment in the Courts of Admiralty, upon Prizes, is pointed out by the said Statute.

12. The Lord Warden of the Cinque Ports has no Right to Wrecks, if chased on Shore within his Jurisdiction, by Ships of War or Privateers; neither has Power exclusive to the Admiralty, in the *Downs*, or any other usual Place of Rendezvous of the Ships of the Navy; not but that he has Admiralty Jurisdiction within the Limits of the Cinque Ports; but the Extent of its Limits (tho' often disputed) has not been decided yet.

13. If an Enemy's Ship is chased by a *British* Ship of War, and strikes to her, but happens to be taken and possessed by any Ship of War belonging to a Prince or State in Alliance with *Great Britain*, which lies fairly in the way, and such Prize is brought into Port in *Great Britain*; in that Case the Prize should be arrested at the suit of the Crown, by Warrant issued out of the High Court of Admiralty; but if carried into *Holland*, or any Place in Alliance with *Great-Britain*, the Commissioners of Prizes, (if such be subsisting) and the Captors, should prosecute for their, the Kings,

and

and their own Intereſt therein, before the Admiralty, when the Prize is carried in.

14. If *Engliſhmen* man a Privateer Veſſel, fitted out and commiſſioned by an Enemy in time of War; ſuch, if taken, ſhould be puniſhed as Traitors; but if they can produce no Commiſſion, it is Piracy.

15. Letters of Marque, or Reprizals, may be granted in time of Peace, and are allowed by the Law of Nations, whenever Satisfaction has been demanded, and unreaſonably delayed or refuſed, for Damages receiv'd by one Prince from another.

16. Marine Officers and Soldiers cannot be puniſhed by a Court-Martial of Sea-Officers, for Offences committed on Shore; but by virtue of a Warrant from the Crown, directed to their Chief Officer, or any other appointed therein, according to the Articles of War for Land-Soldiers; but for Offences at Sea, they are ſubject to a Court-Martial, as Sea-Officers and Mariners are.

17. A Perſon deſerting from a Ship whereunto he belongs, may be tried for the ſaid Offence, tho' the Ship be paid off and diſcharged by the Act for regulating the Navy.

N. B. In Capital Offences, a Court-Martial is to conſiſt, at leaſt, of five Captains; but in other Offences, the Number is not limited by the Act.

18. Any Perſon in the Service of the Crown, (or any Foreigner) giving falſe Intelligence of the Enemy's Fleet, to be proſecuted as a Spy, by a Court-Martial: And a Native not in the Service, to be articled againſt, in the Court of Admiralty, and fined and impriſoned.

19. The Widow of a Perſon ſlain accidentally on Board any Ship, upon one Ship's ſaluting another, may, after Trial at the Admiralty Seſſions, recover

recover Damages against those, through whose Neglect or Carelessness the Accident happened; and if it cannot be fixed on responsible Persons, the Master and Ship will be liable.

20. The Master of a Merchant-ship hired by Charter-party, to carry public Provisions or Stores, cannot, for Breach thereof, be tried at a Court-Martial.

21. If the Commander of a Privateer, quits his Ship while abroad, for which he took out Letters of Marque, and takes Prizes with another Ship, by virtue of the same Commission; such Prizes will (upon Trial) be condemned as Perquisites of the Admiralty. But some Allowance will be made to the Captors for their Service.

22. A Prize legally condemned, and bought by the Subjects of another Prince, is not seizable by the Law of Nations; or if seized, ought to be restored to the Purchasers: But if she has not been legally condemned, those who buy such Ship, have no Right to her.

23. Vessels, *&c.* taken by Pirates, ought, if retaken, to be restored to the Owners, upon due Proof of their Title thereto.

24. A Ship of any of his Majesty's Subjects, being suspected of going on an unjustifiable Design, may be stopped by Order of the High Court of Admiralty; and if it seems reasonable, may cause the Owners, *&c.* to find Bail for the good Behaviour of the Master and Men.

25. Upon Application to any of his Majesty's Ships of War, the Commander ought to assist the Person impowered by the Court of Admiralty to arrest a Merchant-ship, or Vessel, making Resistance against such Arrest.

26. Any Officer of his Majesty's Ships concealing any public Stores on Board, is to be tried by

a

a Court-Martial; but if the Stores be embezzled, and carried on Shore, then he must be tried for his said Offence, at Common Law.

27. An *English* Seaman taken by the *Algerines*, in the Service of any foreign Prince or State, has no Right to expect being reclaimed by the Crown, as a Subject of this Nation.

28. If, in an Engagement, a Ship strikes her Colours to the Adversary, and after so doing, fires at the Vessel to which she struck; the Commander and Crew (if taken) are subject to immediate Military Execution, without any Quarter, at the Mercy of the Conqueror.

An Abstract of the Act of Parliament made in the Thirteenth Year of the Reign of his present Majesty, intituled, An Act for the more effectual securing and encouraging the Trade of his Majesty's *British* Subjects to *America*, and for the Encouragement of Seamen to enter into his Majesty's Service.

ENacted, That all Officers, Seamen, Mariners, and Soldiers, on Board every of his Majesty's Ship's of War, shall have the sole Property of all Prizes which they shall take in *Europe* after the 4th of *January* 1739, and in any other Part of the World after the 4th of *June* 1740. (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty in *Great-Britain*, or elsewhere) to be divided according to Proclamation for that Purpose.

After

After the 4th of *January* 1739, the Lord High-Admiral, or Commiſſioners of the Admiralty, or others by them impowered in *America* or elſewhere, ſhall, at the Requeſt of any *Britiſh* Owners of any Ship, upon giving the uſual Security, in caſes of granting Letters of Marque (except for the Payment of the Tenths of the Value of Prizes taken to the Admiralty) grant Commiſſions to the Commanders appointed by ſuch Owners, for taking any Fortreſs, *&c.* upon Land, or Ship, *&c.* upon Sea, belonging to any of his Majeſty's Enemies; and all ſuch Captures ſhall be the ſole Property of the Captors, and ſhall be ſhared among them according to Agreement made between the Owners and Captors, excluſive of any Claim of his Majeſty, or the Admiralty, except the Cuſtoms and Duties hereafter mentioned.

Judges of the Court of Admiralty ſhall, within five Days after being apply'd to, finiſh the uſual preparatory Examination of the Perſons proving the Capture; and the uſual Monition ſhall be iſſued and executed by the proper Perſons, within three Days after Requeſt made in that Behalf.

In caſe no Claim of ſuch Capture be duly entered, or made in uſual Form, and atteſted upon Oath, giving twenty Days Notice after the Execution of the Monition; or if after Claim made, the Claimant ſhall not within five Days give ſufficient Security to the Court, to pay double Coſts to the Captors, in caſe the Prize claimed be adjudged lawful; the Judge ſhall, upon View of the ſaid Examinations or Copies thereof, and upon producing to him, upon Oath, all Papers and Vouchers (if any) found with ſuch Capture, or upon Affidavit, that none were found, immediately give Sentence for the Condemnation or Diſcharge of the Capture.

After

After Claim and Security duly entered, as directed, the Judge ſhall give Sentence within ten Days enſuing, if there be no Occaſion to examine any other Witneſſes than thoſe near at hand.

In all doubtful Caſes, between the Right of the Captor and Claimant, wherein the Teſtimony of remote Witneſſes is deſired, the Goods ſhall be unladen, and lodged under ſeparate Locks of the Collector and Comptroller of the Cuſtoms; and if there be no Comproller, then of the Naval Officer, and the Agents of the Captors and Claimants, at the Charge of the Parties deſiring it; and the Capture ſhall be appraiſed by Perſons upon Oath, named on the Part of the Captors, and ſhall be delivered to the Claimants, on their giving Security, within fourteen Days after Claim entered, to pay the full apprais'd Value to the Captors, if adjudg'd lawful Prize.

On the Claimants refuſing to give ſuch Security, the Captors ſhall have the Goods, *&c.* ſo apprais'd delivered to them, on their giving Security (to the Claimants Satisfaction) to pay the ſaid Value to the Claimants, if adjudged not lawful Prize.

All Captures brought into any Colonies in *America*, ſhall remain there without breaking Bulk, under the joint Care of the Collector and Comptroller, or (if no Collector) of the Naval Officer of the Port and the Captors, until diſcharged or condemned according to the foregoing Regulations.

Upon Condemnation, the ſame (if taken by private Captors) ſhall immediately be delivered to them as their ſole Property; and (if taken by any of his Majeſty's Ships of War) to ſuch Perſon or Perſons, in ſuch manner as ſhall be directed by Proclamation.

Every

Every Judge and Officer in the Plantations abroad, delaying Proceedings according to the Limitations prescribed, to forfeit 500 *l.* for every Offence; half to the King, and half to the Prosecutor, to be recovered in any of the Courts abroad or at home.

The whole Fees to be paid among the Judges and Officers, upon any Capture condemned or released, not to exceed ten Pounds, in case the Ship taken be under 100 Tons Burthen; nor above 15*l.* if of that or any greater Burthen; to be distributed by the Judge among the Officers of the Court, as he thinks fit.

The Captors or Claimants may appeal from the Judge's Sentence within fourteen Days ensuing, to Commissioners of Appeal appointed under the Great Seal for Purposes of that Kind; giving Security to prosecute the same with Effect, to abide Condemnation, and to pay treble Costs as awarded, in case the former Sentence be affirmed; but Execution is not to be suspended upon such Appeal entered, in case the Appellee give Security to restore the Prize or Value thereof, to the Appellant; if so, that the Judge's Sentence be reversed.

Any Person on Board any Prizes breaking Bulk, and embezzling any Thing, to forfeit treble Value of the Goods embezzled; one Third of the Forfeiture to go to *Greenwich Hospital*, and the rest to the Prosecutor.

Agents shall be appointed in equal Numbers by the Commander, Majority of Officers, and of the Ship's Company, and others intitled to the Capture, for all Appraisments and Sales of Prizes taken by any Man of War; that is to say, if the Commander appoint one or two Agents on his Part, the Majority of the Officers shall appoint the

like Number; and the Ship's Company, and others concerned, shall appoint the same Number for themselves; but this is not to extend to private Ships of War.

Public Notice shall be given by the Agents, of the Day appointed to pay the Captors Shares; and Shares not demanded in three Years to go to *Greenwich Hospital.*

This Act not to exempt Prizes from the Payment of any Customs or Duties in *Great Britain* or *America*; or from being subject to such present or future Restrictions or Regulations, as do or may subsist by virtue of the Laws of this Realm.

By this Act, his Majesty is impowered to grant Charters, *&c.* during the present, or any other War, to Societies or particular Persons, to make Conquests in any Parts of *America*; and to assure to such Adventurers the sole Title and Property of all such Conquests and Captures of all Kinds, by Land and Sea, under such Regulations, Manner and Form, as his Majesty shall think fit; and to confirm the same by any further Grants, *&c.* so as to enable such Adventurers to enjoy the full Benefit thereof, according to the true Intent of this Act; but so as not to exclude any of his Majesty's Subjects from having a free Trade to any Part of *America.*

Bounty-money, at the Rate of five Pounds *per* Man, for every Man who was living on Board the Enemy's Ship, at the Beginning of the Engagement, to be paid by the Commissioners of the Navy, without Fee or Reward, among the Officers, Seamen, Marines, Soldiers and others, on Board any Man of War or Letter of Marque-men, that shall take or destroy any Ships of Force belonging to the Enemy, to be proved by Affidavit of three or more of the chief Officers or Men belonging

longing to the Enemy's Ship, before the chief Magistrate of the Port where such Ship shall be brought, who shall certify it to the Commissioners of the Navy; or, in case of the Enemy's Ship being burnt or sunk, shall certify accordingly to the Commissioners, who shall, as usual, make out Bills for such Bounty-money, to be divided among those of his Majesty's Men of War, according to Proclamation as aforesaid; and among those of any private Vessel, according to such Agreement in Writing, as shall subsist between them and the Owners, *&c.* ——— Which Bills for the Men of War's Use, shall be made payable to the Captors Agents before-mentioned; and Shares not legally demanded within three Years after public Notification, to go to *Greenwich Hospital*; and the Bounty Bills for the Use of the Letter of Marque-men, shall be made payable to Agents appointed by a Majority of the Owners, Officers and Seamen.

The Capture of all Flota-ships, or Galleons, or Register-ships from *Buenos Ayres* or *Honduras*, shall be tried and determined in the High-Court of Admiralty only.

Ships and Goods of his Majesty's Subjects taken by the Enemy, and retaken by a Man of War or private Vessel, shall be adjudged to be restored to the former Owner, paying for Salvage to a Man of War, one eighth Part of the Value to be restored; to be divided as in Cases of Prizes; and to a private Ship of War, after being twenty-four Hours in the Enemy's Possession, one eighth Part Salvage; if above twenty-four, and under forty-eight Hours, a fifth Part; if above forty-eight, and under ninety-six Hours, a third Part; and if above ninety-six Hours, a Moiety thereof.

If such retaken Ship appear to have been set forth by the Enemy as a Man of War, she shall pay a full Moiety of her Value for Salvage, notwithstanding any Law, *&c.* to the contrary.

Any Ship or Goods, *&c.* taken by any Privateer by Consent or Collusion, shall, together with the Ship's Tackle, Furniture, and Ammunition of such Privateer, upon Proof, be adjudged good Prize to his Majesty, one Moiety thereof to the King, and the other Moiety to the Discoverer and Prosecutor; and the Captain's Bond forfeited; and any Ship or Goods so taken by any Man of War, thro' Collusion of the Commander, shall be deemed good Prize likewise, and the Commander to forfeit 1000 *l.* in manner aforesaid, and be rendered incapable of any Employment under the Crown for seven Years.

No Privateers or Merchant-ships with Letters of Marque in *America*, to take on Board any Servant, without Consent of the Master; nor any other Persons, contrary to the Laws of the Plantation; but in all Cases to observe the Laws of that Country.

The Honour of the Flag display'd, and the Right of the Kings of Great-Britain *to the Sovereignty of the* British *Seas made manifest; with seasonable Remarks in relation to the Fisheries on the Coasts being monopolized by Foreigners.*

AT the same time that the good Oeconomy of the Royal Navy is displayed, as in the foregoing Treatise, it seems necessary to take some Notice

Notice of that, which affords it an Opportunity of appearing in more magnificent Grandeur than can be represented by the ablest Writer in the World; namely, the Ocean on which it is borne; especially as there is a peculiar Sovereignty and Property inherent therein, to the Monarchs of *Great-Britain*; the Preservation of which, for several Ages past, has not a little conduced to increase the Glory of the Nation, and to gain it such a Reputation abroad, as must justly make our Fleet seem as formidable to Strangers, as they are to us who know their real Strength.

This Right is so ancient and undeniable that even the most haughty of our Neighbours dare not pretend to controul it by any public Act, however they may presume to contradict it by bare Words; neither was any Thing ever wrote against it, until it was undertaken by *Hugo Grotius*, in his Book called *Mare Liberum*, which he published in the Reign of King *Charles* the First, *Anno* 1636, upon the following Occasion.

The *Dutch* had, in this Reign, and for some time before, made great Encroachments on the Fishery of the Coasts of *Scotland* and *England*, insomuch that from a bare Toleration or Connivance of some of his Predecessors (while they continued in Amity and Alliance together) the former pretended to justify their Continuance of that Practice, notwithstanding the King's Proclamation to the contrary; wherein the Reasons for the Armament by Sea, then made by the King, are set forth, and the Infringement made by the *Hollanders*, on his late Royal Father's, and his own Prerogative, by several of the Subjects of *Holland* fishing in the *British* Seas without Licence.

The Truth was, that *France* and *Holland* made very great Naval Preparations about this Time, without making any Declaration of the Cause for so doing; but evaded it, when required by the *English* Ministers at their respective Courts. Nevertheless, King *Charles* had some Reasons to apprehend that they had combin'd against him, in order to deprive him of his Dominion of the *British* Sea; and therefore he ordered a Fleet to be fitted out under the Command of the Earl of *Northumberland*, consisting of sixty large Ships of War, well mann'd and arm'd upon that Occasion, with which the Channel and Western Coast was scour'd, without ever meeting either a *French* or *Dutch* Ship, whose Fleets had, upon Intelligence received of the *British* Fleets putting to Sea, retired into their Harbours, tho' some time before that they appeared in a daring and insolent Manner off *Portsmouth.*

As the very Form of the Proclamation then published by the King, carries with it an Evidence of Right to the Dominion of the Seas, founded on ancient Possession, it may not be unacceptable to the Reader to see its Contents, as follows. ——— After reciting what has been already mentioned, *viz.* the Reasons for that Naval Armament, *&c.* he says: "We be very sensible of the Premises, "and well knowing how far we are obliged in "Honour to maintain the Rights of our Crown, "especially of so great Consequence, have thought "it necessary, by the Advice of our Privy "Council, to renew the aforesaid Restraint of fish-"ing upon our aforesaid Coasts and Seas, with-"out Licence first obtained from us, and by "these Presents to make public Declaration, that "our Resolution is (at times convenient) to keep "such a competent Strength of Shipping upon

"our

" our Seas, as may (by God's Bleſſing) be ſuffi-
" cient both to hinder ſuch farther Encroach-
" ments upon our Regalities, and aſſiſt and pro-
" tect thoſe our good Friends and Allies, who ſhall
" henceforth, by vertue of our Licences (to be
" firſt obtained) endeavour to take the Benefit of
" fiſhing upon our Coaſts and Seas, in the Places
" accuſtomed."

The *Dutch* being apprehenſive of the Conſe-
quences of theſe Naval Preparations, and expreſ-
ſing the ſame to Sir *William Boſwell*, the King's
Reſident in *Holland*, he gave Advice of it to the
Engliſh Miniſtry; whereupon Sir *John Cook*, Se-
cretary of State, wrote a Letter to the Reſident at
the *Hague*, which is a Piece worthy of being com-
municated.

In that Letter he takes Notice of the Behavi-
our of the *Dutch*, in perſiſting to encroach on the
Prerogative of the *Engliſh* Crown, by fiſhing on
the *Britiſh* Coaſts without Licence, and commit-
ting ſeveral other unwarrantable Acts: He then
goes on, and ſays; " Conſidering that Peace and
" War muſt be maintained by the Arm of
" Power, which only keeps down War, by keep-
" ing up Dominion, his Majeſty, thus provoked,
" finds it neceſſary, even for his own Defence
" and Safety, to reaſſume and keep his ancient
" and undoubted Right in the Dominion of the
" Seas, and to ſuffer no other Prince or State to
" encroach upon him, thereby aſſuming to them-
" ſelves, or their Admirals, any ſovereign Com-
" mand; but to enforce them to perform due
" Homage to his Admirals Ships, and to pay
" them Acknowledgments, as in former Time
" they did. He will alſo ſet open and protect
" the free Trade of his Subjects and Allies, and
" give them ſuch ſafe Conduct and Convoy as

" they shall reasonably require. He will suffer no " other Fleets, or Men of War, to keep any " Guards upon these Seas, *&c.*" (*The Secretary says farther*) " We hold it a Principle not to be " denied, that the King of *Great-Britain* is a " Monarch at Land and Sea; and that it con- " cerns him as much to maintain his Sovereignty " in all the *British* Seas as within his three King- " doms; because, without that these cannot be " kept safe, nor he preserve his Honour and due " Respect with other Nations.

But the King was not content to rely upon the Force of his Proclamation alone; nor could he, in Honour, sit down barely contented to wait the Issue of what it might produce after some Space of Time, since the *Hollanders*, notwithstanding their having early Notice of it, as it was purely calculated for them, still continued fishing with their Busses on the Coast of *Scotland*; therefore his Majesty gave Orders to his Lordship (who was then waiting in the *Downs* for a favourable Wind) to make another Cruize to the Westward, after some *Sallee* Rovers that infested the narrow Seas at this Time (which shews the weak Condition, if not indolence, of the other maritime Powers) to sail to the Northward, and pay a Visit to the *Dutch* Fishermen, in order to support his Proclamation, and prohibit any Foreigners from fishing on the *British* Coasts, without acknowledging his Majesty's Prerogative on those Seas, and obtaining his Licence for fishing. Accordingly his Lordship, then Lord High-Admiral likewise, sailed with a Squadron of the Fleet to the Northward, where the *Dutch* Busses were very busy at Work; and having required them to desist in pursuance of the King's Proclamation; and they not readily complying, he attacked them, and took and sunk

some,

ſome, and made the reſt betake themſelves to Flight. After this they ſolicited the Lord High-Admiral to intercede for them to the King, that they might have Leave to continue their Fiſhing for that Seaſon only, for which they would pay his Majeſty 30,000*l.* and which they paid accordingly, upon obtaining the Permiſſion deſir'd.

At the ſame Time they made preſſing Inſtances to have a Grant made them of that Liberty for the Time to come, upon their paying the like yearly Tribute; but it was not complied with.

It has been attempted by ſome Hiſtorians * to inſinuate, that the King took this Occaſion to break with the *Dutch*, merely to have a Pretence for raiſing the Ship-money, ſince for thirty Years paſt they had not been moleſted, or called to an Account for their Fiſhing: But others † affirm, that the King reſolved this Year to make good what he had before declared, *viz.* To maintain the Sovereignty of the Seas, due to the Crown of *England* in all Ages, and left him by his Progenitors.

In this time Mr. *Selden* wrote a Book in Anſwer to *Grotius*, intitled, *Mare Clauſum*, wherein he deduces that Right of Sovereignty in the *Britiſh* Monarchs, from the Laws of God and of Nature, beſides the uninterrupted Enjoyment of it for ſo many Ages paſt, as that its Beginning was not to be traced to any particular Æra of Time; but has been taken for granted by all People, to have been introduced and aſſumed by the firſt Inhabitants of this Iſland; and ſo has continued, by Succeſſion, from one Monarch to another, to this Day.

* Rapin.

† Sir William Monſon's Tracts. He was Vice-admiral.

There are a great many Records in History, and otherwise, which prove, that among all the Kings (tho' of other Nations) who from time to time were in Possession of the Crown of *Britain*, whether by hereditary Right, by Conquest, Usurpation, or Election; not one among them, but what were very careful to preserve and support this Right of Sovereignty over the *British* Seas.

I can go back even as far as *Julius Cæsar*'s time, to shew, that when he first undertook the Invasion of this Island, after having conquered the *Gauls*, he found them altogether unacquainted with it, and mere Strangers to the Inhabitants of *Britain*, and to their Towns, Havens and Coasts, excepting only the Merchants who traded with the *Britains*; and even of those, they knew no more but that Coast of it which lay opposite to theirs, to which they were restrained, without being allowed any Access or Approach to any other Parts, whereby they might be capable of making any Discoveries. This appears from his own Words in his Commentaries:* "*Quæ omnia fere Gallis* "*erant incognita: neque enim temere præter mer-* "*catores adit ad illos quisquam, neque eis ipsis* "*quidquam præter oram maritimam, atque eas* "*regiones quæ sunt contra Galliam, notum est.* "*Neque quanta esset insulæ magnitudo, neque quæ* "*& quantæ nationes incolerent, neque quem usum* "*belli haberent, aut quibus institutis uterentur, ne-* "*que qui essent ad majorum navium multitudinem* "*idonei portus, reperire poterat.*" That the *Britains* maintained this their Dominion and Sovereignty of the Seas, by the Help of their large Ships, and the superior Strength of their Navy, and their own Skill and Fortitude, is but reason-

* *De Bello Gallico*, l. 4. fol. 72.

able

able to imagine, from the very Nature of the Thing: For otherwise, if the *Gauls* were as well provided with Shipping and Mariners, as were the *Britains*, why might not they long before that Time as they were more numerous than the *Britains*, have been Competitors with the latter, in trying for that Dominion by Force of Arms, which must have kept them in that Subjection in which *Cæsar* found them? This is evident from the Description which he afterwards gives of the *British* Ships, and which he prefers before those of the *Romans*; for he says, that the *Gauls* of *Venice* had Supplies from the opposite Part of *Britain*, when they made Naval Preparations near the Mouth of the River *Loyre*. " *Ipsorum naves* (says he *) *ad* " *hunc modum factæ armatæque erant. Carinæ* " *aliquanto planiores quam nostrarum navium, quo* " *facilius vada, ac decessum æstus excipere possent;* " *proræ admodum erectæ, atque item puppes ad* " *magnitudinem fluctuum tempestatumque, accom-* " *modatæ; naves totæ factæ ex robore,* &c"——— He goes on, " *Neque enim his nostræ rostro nocere* " *poterant, tanta erat firmitudo, neque propter al-* " *titudinem facile telum adjiciebatur. Et eadem* " *de causa minus commode scopulis continebantur.* " *Accedebat, ut cum sævire ventus cœpisset, & se* " *vento dedissent, & tempestatem ferrent facilius,* " *& in vadis considerent tutius, & ab æstu dere-* " *licta nihil saxa & cautes timerent.*"———And further, " *Circiter* 220. *naves eorum paratissimæ,* " *atque omni genere armorum ornatissimæ, è portu* " *profectæ nostris adversæ constiterunt. Neque* " *satis* Bruto, *qui classi præerat, neque Tribunis* " *militum, Centurionibusque, quibus singulæ naves* " *erant attributæ, constabat quid agerent, aut*

* Idem, de *Bello Gall.* l. 3. P. 55.

" *quam*

"*quam rationem pugnæ instituerent: rostrum enim*
"*nocere non posse cognoverunt: turribus autem ex-*
"*citatis, tamen has altitudo puppium ex barbaris*
"*navibus superabat, ut neque ex inferiori loco sa-*
"*tis commode tela adjici possent, & missa à Gallis*
"*gravius acciderent.*"

These Aids given by the *Britains* to the *Gauls*, in their Wars against the *Romans*, were made the Pretence by *Cæsar* for invading this Island; by all which it it manifest, that the *Britains* had the supreme Command and Dominion of their own Seas, without any Competitors, before the *Roman* Conquest. And afterwards, while the *Romans* were in Possession of *Britain*, the same Sovereignty was duly preserved; but when the civil Wars of the *Roman* Empire had, by exhausting the Flower of the *British* Youth, so much infeebled the Nation, as to put them under a Necessity of calling in the *Saxons* to their Aid against the *Picts*, and for suppressing the National Factions sprung up among themselves; and those *Saxons*, taking Advantage of the Weakness of the *Britains*, had expelled them out of the most fertile Parts of the Kingdom, tho' for some Time they themselves were diverted from settling their own Affairs, by the frequent and powerful Invasions of the *Danes*, and their domestic Broils, occasioned by the several petty Kingdoms of their Heptarchy; yet when they were all reduced under one Head, they did not forget to reassume their Right of Sovereignty in those Seas. The *Saxons* acquired this Right from the *Britains*, and exercised it by the Power of their Naval Armaments, in which they excelled all their Neighbours, till at last, their Heptarchy being reduced to a Monarchy by *Egbert*, the first King of *Britain*, he, after some Time, began to decline in his Reputation of Arms, which induced

induced the *Danes* and *Normans* to make several Descents on this Island, and commit great Depredations on the Inhabitants; but *Alfred* soon got the better of them, and routed them out of those Seas.

It has already been taken Notice of, how *Edgar* kept up a mighty Navy for Support of this Right; as did after him *Etheldred*, who, by a Tax or Contribution laid on the Kingdom, obliged the Possessors of every three hundred and ten Hides of Land, to build and fit out a Ship for the Defence of the Seas; all which had their Rendezvous at *Sandwich*, and composed the greatest Navy that ever was put out to Sea by this Kingdom.

Likewise when *Canutus* the *Dane* succeeded *Edmund Ironside*, by Composition of Survivorship, both he and all his Successors maintained that Right; and so it subsisted until the coming of *William* the Conqueror, in whose Reign, and during the Reigns of all his Successors, to this Time, the same was never disputed; save only, that in the Time of *Edward* I. about the Year 1299, a Dispute happened to arise upon the following Occasion, *viz.* The King of *France* (*Philip* the Fair) having Occasion to lend some Ships to aid the *Flemings*, against *Guy* Earl of *Flanders*, under the Command of *Reyner Grimbalz*, whom he had appointed to be his Admiral, the said *Grambalz*, in passing to and fro in the narrow Seas, took upon him to exercise sovereign Jurisdiction thereon, as Admiral to the King of *France*, taking the People and Merchants of *England*, and other Nations, and carrying them into *France*; where he constrained them to abide his Judgment and Award concerning their Goods and Merchandize; of which, Complaints having been made to the Courts of *France* and *England*, they appointed (in pursuance of a former Agreement

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ment

ment made between themselves, on the concluding of a Peace at *Paris*) certain Commissioners, termed Auditors in the Record*, to hear and redress the Wrongs interchangeably done by their Subjects, contrary to the aforesaid Peace. Upon this a Memorial, or Remonstrance, was drawn up, and presented to these Auditors, not only in the Names of the People of *England*, but likewise by Procurators, in the Names and Behalf of the most considerable Countries and Places then remarkable for Trade, *viz. Genoa, Catalonia, Spain, Germany, Holland, Zealand, Friseland, Denmark* and *Norway*, who all unanimously, by that Instrument, acknowledged the Kings of *England* to have been, Time immemorial, the lawful Sovereigns of the *English* Seas.

This general Acknowledgment being a Testimony not to be contradicted, the Recital of a Translation of it, so far as concerns the present Subject in Controversy, cannot, I presume, be disagreeable to the Reader; the Original being in the old *French* or *Norman* Tongue, and set down by *Selden*, with a *Latin* Translation. The present *English* is one from *Coke* 4 *Instit.* tho' I have another by me done by Sir *John Boroughs*, Keeper of the Records in the Tower of *London*, 1651, with this *Latin* Title, *De Superioritate Maris Angliæ, & Jure Officii Admirallatus in eodem.* But I prefer the former Translation, *viz.* "To "you, our Lords Auditors, deputed by the Kings "of *England* and *France*, to redress the Injuries "done to their Subjects, by Sea and Land, in "Times of Truce and Peace; we the Procura-"tors of the Prelates and Nobles, and of the "Admiral of the *English* Sea, as well as of the

* Sir John Borroughs, Keeper of the Records in the Tower of London.

"Cities

"Cities and Towns, and of the Merchants, Mariners, Messengers, and foreign Inhabitants, and all others belonging to the Realm of *England*, and other Dominions and Territories belonging to the King of *England*; as also of divers other Inhabitants of *Genoa*, *Catalonia*, *Spain*, *Germany*, *Zealand*, *Frisland*, *Denmark* and *Norway*, and of sundry other maritime Places of the Empire, most humbly shew, That whereas the Kings of *England*, by Right of the said Kingdom, have always been in peaceable Possession of the Sovereign Lordship of the *English* Seas, and of the Islands situate within the same, with Power of constituting and appointing of Laws and Statutes, and of prohibiting the Use of Arms, and Passage of Ships otherwise equipped than Merchant-ships, and of taking Security and granting Protection, as Occasion shall require, and of appointing all other Things necessary for the maintaining of Peace, Justice and Equity, among all manner of People, as well Foreigners as their own Subjects, navigating in those Seas; as also of determining all Causes and Differences, and administring Justice to High and Low, according to the aforesaid Laws, Statutes, Ordinances, Constitutions and Prohibitions, and generally of doing and acting all other Things incumbent and belonging to the Exercise of their sovereign Jurisdiction within the aforesaid Seas: And whereas *A. de B.* Admiral, *&c.*"

Should it be questioned, that the *Flemings* made any Acknowledgment of this Sovereignty, because they are not mentioned in the foregoing Memorial; it appears in the Records of *Edward*

Edward II.* that the same was fully acknowledged to that King, by Ambassadors from Earl *Flanders*, as follows, which is at large in *Selden.*

"*Memorandum*, That whereas, for the Reformation of certain Injuries in an amicable Way, done by the Subjects of the Earl of *Flanders* to the Subjects of the King of *England*, and by the Subjects of the said Kingdom to those of *Flanders*, since the Time that our said Lord the King undertook the Government of his Kingdom, *&c.* And whereas the said Ambassadors had been admitted by our said Lord the King, to treat anew of this Kind of Injuries; these Ambassadors, or other Ambassadors of the aforesaid Earl, in the aforesaid Treaties, did, among other Particulars, which they required before all Things, make Supplication, that the said Lord the King would, at his own Suit, by virtue of his Royal Authority, cause Inquiry to be made, and do Justice, about a certain Depredation lately made by the Subjects of *England* (as 'tis said) upon the *English* Sea, of Wines and divers other Merchandizes, belonging to certain Men of *Flanders*, towards the Parts of *Cranden*, within the Territory and Jurisdiction of our said Lord the King, alledging, that the aforesaid Wines and Merchandizes taken from the *Flemings*, were brought within the Jurisdiction and Realm of the said Lord the King, and that it belonged to the King himself so to do, for that *He* is Lord of the said Sea."

The same Sir *John Borroughs*, in his Treatise of *The Sovereignty of the Seas* (which I apprehend to have been written on account of the War then

* Sir John Borroughs, Rot. P. 14 Ed. 2. Part 2. Membr. 26.

breaking

breaking out between the Parliament and the *Dutch*, the first Hostilities wherein having begun between Admiral *Blake* and *Vantromp*, on the latter's refusing to strike his Flag in the Channel, which was a previous Design in the *Dutch* to provoke the *English*; I say that That Author) makes mention of a Law made at *Hasting* by King *John*, *Anno* 1201; whereby "He ordained "by the Advice and Assent of the Lords Temporal, That if a Lieutenant in any Voyage, "being appointed by Common Council of the "Kingdom, do meet upon the Sea any Ships or "Vessels laden or unladen, that shall refuse to "lower their Sails at the Command of the King's "Lieutenant, or of the Admiral of the King, or "his Lieutenant, but will fight against them of "the Fleet, that if they can be taken, they be "reputed as Enemies, and their Ships and Goods "taken and forfeited as the Goods of Enemies, "altho' the Masters or Owners of the same should "come afterwards, and alledge, that they are "the Ships, Vessels and Goods of those that are "Friends to our Lord the King; and that the "common People found in such Ships be chastised "for their Rebellion, by Imprisonment of their "Bodies, at Discretion."

There are so many Instances in all Ages, of the Right of this Dominion over the Seas, that it would be in a manner endless to go about mentioning them all. They that want further Satisfaction, let them read *Selden*, and they will inquire no farther. But as I have gone so far back to prove its Antiquity, I think it not improper to come nearer to our own Times, and in the Course of this Subject, to mention some late Instances to the same Purpose, besides what I have elsewhere, in

in the foregoing Treatise, made mention of relative thereto.

* In the 29th Year of the Reign of Queen *Elizabeth*, *Anno* 1587, *John* King of *Sweden* wrote a Letter to the Queen, desiring Leave for a Subject of his *(Olavus Warmaus)* to carry Merchandize into *Spain*, *because* (as the King expresses in his Letter) *he must of Necessity* (maritimas reginæ ditiones pertransire) *pass thro' the Sea-dominions of the Queen.*

In her Reign likewise, the *Dutch* applied for Leave to fish on the Northern Coasts; for which Mr. *Selden*, Lib. ii. p. 233, refers to *Hitchcock's* Book publish'd 1580.

The same Author † mentions an Act of Parliament made in *Scotland* in the 7th Year of the Reign of King *James* the First, concerning the Fishery upon the Northern Coasts; which Act I have here transcribed in its own Form, *&c.*——

"That all manner of Fischeres, that occupies "the Sea, and utheres Persons quhat sumever that "happenis to slay Hering or quhite Fish upon the "Coast, or within the Ilea, or out with the Sa"men within the Frithes, bring them to free "Ports, *&c.*————Quhairby his Majesties "Customes be not defrauded, and his Hienesse "Lieges not frustrat of the Commoditie appointed "to them bye God, under the Paine of Confisca"cation and Tynsell of the Veschelles of them "that cumes in the contrair hereof, and escheit"ting of all their movable Guddes to our Sove"raine Lords Use.

Notwithstanding that so lately as in the last Reign *(viz.* Queen *Elizabeth)* the *Dutch* had sued for Leave to fish on the *British* Coasts, yet in this *pacific* King's Reign, they carried it on

* MSS. Cott. Lib. † Selden, p. 292.

with

with a high Hand, and refused to desist when required; wherefore King *James* (in the Year 1609) issued forth a Proclamation asserting his Sovereignty of the Seas, wherein he enforced it with Words sufficiently strong to support his Right, if such had been of any Weight with the *Dutch*; but it were better he had spar'd more of his Gun-powder on 'em, than his Eloquence by Proclamation; to which last they paid no Obedience, whereas the first would have brought them to Reason, as afterwards they were in his Son's Reign, as hath been already mentioned. The Proclamation was as follows: " * Whereas We have been contented, since Our Coming to the Crown, to tolerate an indifferent and promiscuous kind of liberty, to all Our Friends whatsoever, to fish within Our Streams, and upon any of Our Coasts of *Great-Britain*, *Ireland*, and other adjacent Islands, so far forth as the Permission or Use thereof might not redound to the Impeachment of Our Prerogative Royal, nor to the Hurt and Damage of Our loving Subjects, &c. Finding that Our Continuance herein hath not only given Occasion of over-great Encroachments upon our Regalities, or rather questioning of Our Right; but has been a Means of daily Wrongs to Our own People, that exercise the Trade of Fishing, &c. which is a Matter of great Consequence to Our State, considering how much the Strength thereof consisteth in the Power of Shipping, and Use of Navigation: We have thought it now both just and necessary (in respect that We are now, by God's Favour, lineally and lawfully possessed, as well of the Island of *Great-Britain*, as of *Ireland*,

* Lediard.

" and

"and the rest of the Isles adjacent) to bethink "Ourselves of good and lawful Means to prevent "those Inconveniencies, and many others depend-"ing upon the same: In Consideration whereof, "*&c.* We have resolved first to give Notice to all "the World, that Our express Pleasure is; that "from the Beginning of the Month of *August* next "coming, no Person, of what Nation or Quality "soever, being not Our natural born Subject, be "permitted to fish upon any of our Coasts and "Seas of *Great Britain* and *Ireland*, and the rest "of the Isles adjacent, *&c.* until they have or-"derly demanded and obtained Licences from Us, "*&c.* upon Pain of such Chastisement as shall be "thought fit to be inflicted on wilful Offenders."

The *Dutch*, instead of making any Apology for their fishing without Leave, or paying any Respect to this Proclamation, insisted upon it as their Right, by immemorial Possession; and the King, not being disposed to do himself Justice by Force of Arms, caused only his Ambassador at the *Hague* to desire other Satisfaction with reference to the Fishings. Upon this, a Negotiation ensued, which was spun out till the Year 1618, whilst in the mean time, the *Dutch* reap'd the Benefit of their Fishing; and in the End, this Negotiation produc'd nothing more, than that the States acknowledged to the King's Embassador, that their Commissioners in *England* had gone beyond their Instructions, in using the Term of *Immemorial Possession*; and this, together with a verbal Acknowledgment of his Majesty's Dominion in the *British* Seas, fully satisfied King *James.*

As hitherto neither the Honour of the *British* Flag, nor the Right of Dominion of the *British* Seas, has met with any Opposition from any

Monarch

Monarch or State in *Europe*, other than from the *Dutch*; nor even from them, but at ſuch times as they took the Advantage of ſome general Miſfortune attending this Nation, which prevented the latter from doing it ſelf Juſtice againſt them, or that they were ſenſible it would not be for our Intereſt to come to an open Rupture with them upon that Occaſion alone; I hold it neceſſary to ſhew the ſeveral Submiſſions, which they have ſince made, and, in the moſt ſolemn manner, confirm'd by Articles or Treaties; and how and when they have conform'd accordingly; that ſo there may remain ſufficient Inſtances and Teſtimonies againſt them, and all others, of the extenſive Sovereignty of the Monarch of *Great-Britain* over the Seas, ſhould any hereafter be ſo vain, as to attempt an Uſurpation to the contrary, either by Word or Deed.

The Diſtractions and Diviſions in the Nation, during the Reign of King *Charles* the Firſt, diverted his Thoughts from cauſing the *Dutch* to be further look'd to, after their Submiſſion to pay Tribute for Leave to fiſh, in the Year 1636, as is before related; and for the ſame Cauſe, they grew very haughty for the remaining Part of his Reign, till at laſt they were brought to Reaſon by the Parliament's Fleet, in 1653, under the Command of Admiral *Blake*; when, after being well chaſtized at Sea, and obliged to make Satisfaction to the Nation on account of the Affair of *Amboyna*, &c. they ſolemnly acknowledged the Dominion of the Seas to *England*, by the Treaty * concluded on the 5th of *April* 1654, and agreed to ſubmit to the Honour of the Flag in its utmoſt Extent.

* Whitlock's Memoirs.

In

In Consequence of the Treaty above-mentioned, after the Restoration of King *Charles* the Second, in the Year 1662, as Sir *John Lawson*, the *English* Admiral, was on his Return from the *Mediterranean*, with a Squadron of the King's Ships, he met the *Dutch* Admiral *De Ruyter* at Sea, with a Squadron of their Ships, near the Coasts of *Spain*; upon which, *De Ruyter* struck his Flag, and saluted the *English* Admiral with his Guns; but the latter only returned his Salute of Guns.

In 1667, after the *Dutch War* was ended, and a Peace was concluded at *Breda*, the *Dutch* again confirmed the Dominion of the Seas, and Honour of the Flag, to *England*, in the most ample Manner. Likewise at the End of the ensuing War, by the Treaty concluded in 1674, "They "obliged themselves to cause their Ships, whether "single, or in Fleets, to strike the Flag, and "lower their Top-sail, to those of *England*, whe-"ther single, or in Fleets, provided they carried "the King's Flag; and this Respect was expresly "stipulated to be shewn within the four Seas which "surround this Island, extending from *Cape Fi-"nisterre*, to the middle Point of the Land of *Sta-"ten* in *Norway*."

To explain more clearly the Duty of the Flag, as acknowledged by the *Dutch* to the *English*, I shall here recite the 15th Article of the Treaty then concluded; *viz.*

"That the Ships and Vessels of the said U-"nited Provinces, as well Men of War as others, "be they in single Ships, , or in Fleets, meeting "at Sea with any of the Ships of this State of "*England*, or in their Service, and wearing the "Flag, shall strike the Flag, and lower their "Topsail, until they be pass'd by; and shall "likewise submit themselves to be be visited, if

"thereto

" thereto required, and perform all other Respects
" due to the said Commonwealth of *England*, to
" whom the Dominion and Sovereignty of the
" *British* Seas belong."

This further remarkable Restriction is likewise laid on them by the 16th Article of the same Treaty; *viz.*

" And may likewise, with their Men of War,
" not exceeding such a Number as shall be agreed
" upon, sail, pass and repass thro' the said Seas,
" to and from the Countries and Ports beyond
" them; but in case the said States-General shall
" have Occasion to pass through the said Seas with
" a greater Number of Men of War, they shall
" give three Months Notice of their Intention to
" the Commonwealth, and obtain their Consent
" for the passing of such a Fleet, for preventing of
" Jealousy and Misunderstanding betwixt the
" States by Means thereof."

Besides the foregoing Instances of Submission to the *British* Flag, I shall mention a few more; *viz.*

In the Reign of King *James* the First, *Anno* 1620. the *English* Fleet set out upon an Expedition against the *Algerines*, under the Command of Sir *Robert Mansel*, Vice-Admiral of *England*, and anchor'd in the Road of *Algiers*. In some few Days after, a *Spanish* Fleet of seven Men of War put into the same Road, to take Satisfaction of the *Algerines* for their Piracies likewise, and immediately the *Spanish* Admiral struck his Flag, and saluted the *English* Admiral.

This Respect seems the more extraordinary, as it was in the Reign of a *British* Monarch, who preferr'd Peace to War at any Rate; at the same Time that *Spain* was puff'd up to the highest Pitch of Haughtiness, as valuing itself upon the great

great Influence which its Embassador *(Gondomar)* had upon the *British* Counsels.

The Honour of the Flag was never more strictly supported, than during the Usurpation of *Oliver Cromwell*; for the *Dutch* (after being well beaten into it) were so very obsequious, that their Admirals would not wear their Flags, while any of those of the *English* were in the same Harbour with them. This * was evidenc'd in the Year 1655, when Admiral *Blake* anchor'd in *Cadiz*-Bay, in his Way to the *Mediterranean*; at which Time a *Dutch* Squadron was there likewise under the Command of an Admiral; and *Dewitte*, with other *Dutch* Ships, struck Sail to him on meeting him in the *Mediterranean*.

The Boundaries properly said to encompass what are called the *British* Seas, are thus accounted under the Distinction of the four Cardinal Points of the Compass; taking it for granted in general, that all the Seas which surround the Islands of *Great-Britain*, *Ireland*, and the other Islands appertaining to the Crown, are called the *British* Seas; but as to Particulars, they stand thus:

On the South, is the *British* Channel, which separates *England* from *France*; the Boundaries of which extend to the opposite Shores of *France*, and to those of *Spain*, as far as *Cape Finisterre*. From that Cape it extends on the West, in an imaginary Line running in twenty-three Degrees of West Longitude from *London*, to the Latitude of sixty-three Degrees North; which last is called the Western Ocean of *Britain*. From the aforesaid Latitude of sixty-three Degrees, it extends in another Line (supposed to be drawn) in

* Leti's Life of Oliver Cromwell.

that

that Parallel of Latitude, to the middle Point of the Land, *Van Staten*, on the Coast of *Norway*, which is the Northern Boundary; and from that Point it extends along the Shores of *Norway*, *Denmark*, *Germany*, and the *Netherlands*, to the Chanel first mentioned; which last Boundary comprehends what is called the Eastern Ocean of *Britain*.

There being no Lands lying on the West and North Sides of the *British* Dominions, nearer than the Continent of *America*, the Island of *Newfoundland* and *Greenland*; and the King of *Great-Britain*, having Possessions in the two first Places; the Boundaries of his Maritime Empire cannot be said to be strictly limited on that Side. Moreover, as to *Greenland*, it was at first discovered in the Reign of *Edward* the Sixth, by Sir *Hugh Willoughby*, for the Use of the Crown of *England*; and still again to the Northward, there is some Foundation for extending this Sovereignty a great deal farther, on account of the Acquisitions of King *Arthur*, a Record of which is to be found in *Hackluyt*, p. 245. translated from the *Latin* Original there quoted, viz. *Galfrid. Monumetensis*, Hist. of *Brit.* written, *Anno* 1587.

In that Piece it is said, That "He (*Arthur*) "subdued all *Scantia* (now *Norway*) and all the "Islands beyond it, *viz. Iceland* and *Greenland*, "which are appertaining unto *Norway*; *Swedeland*, *Ireland*, *Gotland*, *Denmark*, *Semeland*, "*Windland*, *Curland*, *Roe*, *Femeland*, *Wireland*, "*Flanders*, *Cherriland*, *Lapland*, and all the "other Lands and Islands of the East Sea, even "unto *Russia*, (in which *Lapland* he placed the "Eastern Bounds of his *British* Empire) and many other Islands beyond *Norway*, even under "the North Pole, which are Appendances of

" *Scantia*, now called *Norway*. These People " were wild and savage, *&c.* —— The aforesaid " King *Arthur* obtained also in those Days, of the " Pope and Court of *Rome*, that *Norway* should " be for ever *annexed* to the Crown of *Britain*, " for the Inlargement of this Kingdom, and he " called it the Chamber of *Britain*," *&c.*

According to this ancient Right, the *British* Dominion on the North Sea is very extensive, and so far from being question'd, or the Trade of the *British* Subjects in those Parts obstructed, that on the contrary, (without regard to the above Relation concerning King *Arthur*) *Britain* has a prior Right even to *Denmark* and *Norway* in the *Greenland* Fishery, and *Davis*'s Streights; these Places being unknown to them, and the rest of *Europe*, till *John Davis*'s Voyage for Discovery of the North-west Passage in the Year 1585; tho' it seems that the *Danes* afterwards demanded Toll for our fishing at *Greenland*; but it was refus'd to them: And even the *Dutch* have formerly presumed to give very ill Treatment to the *English* there, notwithstanding that it is well known, that the *Dutch* never found the Way thither, till the Year next after the *English* had been there; whose first Adventure in that Trade, was made by the *Muscovy* Company in the Year 1611; at which time they caught only one Whale, and lost the largest of their two Ships; but in the succeeding Year, they sent out two Ships, and took seventeen Whales: and at this Time it was, that the *Dutch* first sent out any Ships to that Part of the World.

When Pretensions have been made at that Distance upon a Footing so very unjustifiable, it is no Wonder that such have been made nearer home; and I believe it would be found upon Trial, that if proper Measures were at this time taken to preserve

preſerve our Rights of Fiſhery, and prevent the daily Encroachments that are made thereon by the *Hollanders*, they would (from the mere Indulgence and Sufferance given to them for ſome time paſt) make the ſame Plea which they did in the Reign of King *James* the Firſt; notwithſtanding all the Treaties concluded, and the Acknowledgments made, of the *Britiſh* Right of Dominion in thoſe Seas; otherwiſe they would never have preſum'd, as they did very lately, to forbid a Native of *Great Britain* to fiſh on the Coaſts of *Scotland*, and even threatened him for ſo doing.

This Caſe is ſo very extraordinary, and at the ſame time ſo recent in *North-Britain*, that the Truth is not to be queſtion'd; and is therefore proper to be communicated to the Public; which I ſhall do in as few Words as poſſible, to comprehend the Subſtance of what I have heard related by a Gentleman of Veracity; *viz.* About the Year 1735, one Mr. *Allardice*, of *Aberdeen*, fitted out a Veſſel for the Herring-fiſhing; but firſt went to *Rotterdam* to buy Nets, and accordingly bargain'd for the Parcel he wanted, paid for them, and carried them on Board his Ship; but no ſooner had he ſo done, than the Merchant from whom he bought the Nets, went and lodged an Information againſt him, before the Magiſtrates of the Town; upon which Orders were iſſued for ſeizing the Ship, and apprehending Mr. *Allardice*, who very fortunately had put to Sea before the Officers had received the Orders, or otherwiſe (according to the Laws of that Country) he would have been adjudged to perpetual Impriſonment, and his Ship, *&c.* confiſcated; the vending of Nets to any Foreigner being prohibited. Upon his Return home to *Scotland*, he ſet out upon the Fiſhing-trade, ſomewhat earlier in the Seaſon than the *Hollan-*

ders usually did, and was so successful, that he went and sold his Freight in *Holland*, and return'd again by that time the *Hollanders* had begun to fish, whom he met with, attended by a Frigate for their Safeguard; the Commander whereof sent his Boat to *Allardice*, to know by what Authority he fished there, and threatened to destroy his Net, if he persisted (this being upon the Coast of *Scotland*): To which *Allardice* replied, That he had a better Right to fish there, being a native Subject of *Great Britain*, than either the Commodore, or any of his Countrymen; and that he would continue it. Then the Commodore sent for him to come on Board his Ship; but *Allardice* refus'd, till he first had the other's Parole of Honour for his safe Return; and then he went on Board the Commodore, but yet prepar'd in a resolute manner for his Defence and Protection, having armed himself with two Cases of Pistols; and as soon as he went on Board the Commodore, told him he was resolv'd, upon any Attempt of being ill us'd, to shoot him through the Head first, and then take his own Chance; whereupon the Commodore assur'd him of good Usage, and entertain'd him with Punch, *&c.* commending his Valour, and so sent him safe back to his own Ship.

My Reasons for mentioning this Affair, are: To let the World see how precarious a Thing it is to any Person's Property, to give Way to any Encroachment or Sufferance, for too long a time, without using some Precautions to establish a continued Evidence of such Permissions being revocable at Pleasure, it is very notorious, that many a Man has lost his Right, for want of claiming it; and that likewise, by permitting a Neighbour to pass through a Man's Land, in order to accom-

accommmodate him with a near Way to his own Farm, he has at last insisted upon it as a Right; all which might have been prevented, had only some certain yearly Acknowledgment, by way of Tribute, been paid for that Liberty.

Tho' there is no Limitation of Time in Bar of the King's Demand, according to the Maxim in Law, *Nullum Tempus occurrit Regi*; yet, in this Case, concerning the Dominion of the Sea, this Plea alone will not be decisive to the Intruders, without being supported by something of more Weight; and from the Circumstance abovemention'd in relation to Mr. *Allardice*, (who soon after was unfortunately lost in a Storm) it is evident, that the Loss of the Fishing-trade to the *British* Subjects, and the present Monopoly thereof by the *Dutch*, is intirely owing to a want of Resolution in some, and Indolence in others, in not making use of that natural Right we have to the Fisheries of those Seas, and excluding all others therefrom; but more especially such as usurp it under Pretence of any Right or Title but what they lawfully may claim under, by virtue of an authentic Grant from the Crown of *Great Britain*.

Abstract of the Act for prohibiting Commerce with Spain. 6. Sess. An. 13th G. II. R.

AFter the First of *June*, 1740. no Goods whatsoever of the Growth, Product or Manufacture of *Old Spain*, or of the *Spanish* Territories in *Europe*, or of the *Canary Islands*, belonging to the King of *Spain*, (except such

Goods as shall be *bona fide* taken and condemn'd as lawful Prize in any Court of Admiralty, or ordered by such Court, before Condemnation, to be sold as perishable) shall, during the present War with *Spain*, be imported into *Great Britain* or or *Ireland*, or Isles of *Jersey*, *Guernsey*, *Alderney*, *Sark*, Isle of *Man*, *Minorca* or *Gibraltar*, either mixt or unmixt with any Commodities of any other Nation, under Penalty of Forfeiture thereof, with treble the Value, and the Ship with all her Tackle, *&c.*

A Proviso to exempt such Goods from Forfeiture, *&c.* as shall be prov'd upon Oath before the Commissioners of the Customs in the Port of *London*, or Collector or Comptroller in other Ports of *Great Britain*, to have been actually imported into *Minorca* or *Gibraltar*, on or before the First of May, 1740; so as the same be imported into *Great Britain*, on or before the 24th of *June*, 1740. in *British* Bottoms.

Upon due Proof, in the Court of Admiralty, of any collusive or clandestine Capture made by any Privateer, his Bail-bond shall be forfeited, and the Privateer-ship and Merchant-ship so taken, with all their Tackle, *&c.* shall be condemned as lawful Prize; and after Condemnation and Sale thereof, one third Part of the Produce shall be given to the Discoverer and Prosecutor.

In all disputed Cases, concerning the Commodities imported, being of the Growth of *Old Spain* as aforesaid, the Proof thereof shall lie upon the Importer or Claimer only; and if the Informer or Prosecutor, for Breach of this Act, shall by Fraud or Collusion desist therefrom after Seizure, or Stay made of such Goods he shall forfeit 500 *l.*

A Pro-

A Proviso, That his Majesty may, notwithstanding, at any time hereafter, by one or more Proclamations, take off the aforesaid Restrictions and Prohibitions, or any Part thereof.

No Claim shall be entered to such Goods, *&c.* so seized, until sufficient Security (in 100*l.* Penalty) be first given in the Court where such Goods are prosecuted, to answer Costs and Charges of Prosecution; in Default of which Security, such Goods, *&c.* shall be condemned.

The aforesaid Forfeitures and Penalties incurr'd in *Great Britain* and *Ireland*, shall be divided into three several Parts; whereof two Thirds to the King, and the other Third to the Prosecutor; the Charges of Prosecution to be paid out of his Majesty's Part.

That with respect to Penalties and Forfeitures in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, *Man*, *Minorca* or *Gibraltar*, they shall be prosecuted in the Courts of Admiralty, or in any other Courts in the said Islands or Place, and sold and disposed of in such Shares as aforesaid.

A Proviso, That any Goods seized and condemned in the said Islands of *Jersey*, *&c.* and *Gibraltar*, by virtue of this Act, shall in no wise be imported into *Great Britain* or *Ireland*, in any Ship or Vessel, under the Forfeitures and Penalties aforesaid.

In all Suits hereupon, the Defendant may plead the general Issue; and upon Nonsuit, Discontinuance, or Judgment obtained against the Plaintiff, upon Verdict or Demurrer, shall recover treble Costs, and have the like Remedy for the same, as Defendants in other Cases by Law.

Abstract of Part of the Act made in the same Sessions, for continuing the several Laws therein mentioned, *so far as relates to the Encouragement of the* Greenland *and Whale Fisheries; and for exempting Seamen,* &c. *employed therein, from being impressed.*

THE Act *for the further Encouragement of the Whale-fishery, carried on by his Majesty's* British *Subjects*, made in the fifth Year of his Majesty's Reign, and near expiring, is hereby further continued to the 25th *December* 1750. and a further Bounty of ten Shillings *per* Ton, besides the 20 *s.* granted by the former Act, is hereby directed to be paid to the Master or Owners of such Ship employed in the said Fishery, during the present War only, according to the Regulations of the former Act.

No Harponeer, Line-manager, Boat-steerer, or Seaman, belonging to any Ship or Vessel in the *Greenland* Fishery Trade, shall be impressed from the said Service; and when they are not employed in the Fishery, may sail in the Colliery Trade, upon giving Security to the Commissioners of the Customs, that they will proceed in such Ship, &c. to *Greenland*, or *Davis's* Streights, on the Whale fishery, the next Season.

Abstract

Abstract of an Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on Board Merchant-ships and other trading Ships and Privateers.

DURING the present War, any Merchant-ship or Privateer may be navigated by three Fourths Foreigners, the other Fourth of the Mariners, at least, being at all times Natives, or naturalized Subjects of *Great-Britain*, (always excepting sudden Death, Hazard, and Casualities of War and Seas) notwithstanding any Law to the contrary.

Any foreign Mariner faithfully serving two Years on Board any Man of War, *British* Trader or Privateer, after the First of *January* 1739, during the Space of two Years, shall be deemed as a natural-born Subject of *Great-Britain*, and enjoy all the Privileges of a Native.

Proviso, That such naturalized Person shall not thereby be enabled to be a Privy Counsellor, Member of Parliament, or take any Office Civil or Military, or Grant of Lands or Hereditaments from the Crown to himself, or any Trustee for his Use.

Upon declaring of War against any foreign Power his Majesty may, by Proclamation, permit all trading Vessels and Privateers, to be mann'd with foreign Seamen, during such War, in the aforesaid manner; and that thereupon this Act shall be deemed to be in full Force during such War, and no longer (except in respect to such Ships aforesaid, which shall happen to be on their Voyage before the Determination of such War,

and who in that Case, and in the present, are allowed the Benefit of returning home navigated in the manner hereby provided.)

Of the Services due to the Crown from the Cinque-Ports, and of the Privileges, &c. which they enjoy in Consideration of those Services.

THE Cinque-Ports (so distinguished, as being Five in Number) *viz. Sandwich, Dover, Hyth, Romney*, and *Hastings*; being the principal Harbours or Ports of *England*, nearest to *France*, were therefore always upon their Guard against any Surprize from the opposite Coast; and for that Reason they always maintained a good Fleet at their own Expence, to preserve them from Invasions, with which Fleets they have from time to time done signal Services against those of the *French* in time of War; and thereby, from the earliest Times, acquired a singular Reputation of Bravery, and merited the just Esteem of the *British* Monarchs, for several Ages past; who, in Token of their Favour, granted several Privileges to these Towns, both for their Honour, Ease, and Advantage; and more especially as they were to give safe Conduct to the honourable Transportation of the King's Person, or his Army, over the narrow Seas.

It being formerly the Custom, (as has been already mentioned) for the Maritime Towns and Sea-Ports to furnish their respective Quota's of Ships and Men for the Service of the State, it seems probable, that the Cinque-Ports alone (from a mere Necessity, as being nearest the Enemy's Coasts, and the most likely to be invaded) proposed

posed to keep up a larger Fleet in proportion, than any of the other Sea-Ports, and engaged themselves to the Service of the Crown in a more particular manner; in Consideration of which, they were endowed with extraordinary Privileges, which may be seen at large among their own Charters and Records.

The Particulars here mentioned, are abstracted from *Hackluyt* (P. 1. p. 17. and 117:) But whether they are now bound to these Services, or how that Matter rests at this Day, either in respect to that, or their Privileges, is what I cannot take upon me to determine, for want of Opportunity of inspecting therein.

The Charter of *Edward* the First, hereafter recited, takes Notice of the former Grants, made by *Edward* the Confessor, *William* the Conqueror, and his Son *William Rufus*, *Henry* the Second, *Richard* the First, King *John*, and *Henry* the Third; all which Grants are confirmed by this of *Edward* the First. The Record quoted by *Hackluyt*, which, in his Opinion seems to be the most authentic, is (he says) from a Latin Custumell of the Town of *Hyde (Hyth)* and is as follows:

" These be the five Ports of our Sovereign " Lord the King, having Liberties which other " Ports have not: *Hasting*, *Romenal*, *Heth*, *Do-* " *ver*, *Sandwich*, the chief Towns.

The Services due by the same.

" *Hasting* shall find 21 Ships, in every Ship 21 " Men, and a *Garcion*, or Boy, which is called a " *Gromet*. To it pertain (as the Members of " one Town) the Sea-shore in *Seford*, *Pevenshey*, " *Hodeney*,

" *Hodeney, Winchelsey, Rye, Thame, Bekesbourne,*
" *Grenge, Northie, Bulwerheth.*

" *Romenal* 5 Ships, in every Ship 21 Men, and
" a *Garcion:* To it pertain as Members thereof,
" *Prombell, Lede, Eastwestone, Dengemarcys,* old
" *Rumney.*

" *Heth* 5 Ships, as *Romenal* before: To it per-
" taineth the *Westhethe.*

" *Dover* 21 Ships, as *Hasting* before: To it
" pertain *Folkstane, Feversham,* and *St. Marga-*
" *rét's,* not concerning the Land, but for the
" Goods and Cattles.

" *Sandwich* 5 Ships, as *Romenal* and *Hethe:*
" To it pertain *Fordwich, Reculuer, Serre,* and
" *Dele;* not for the Soil, but for the Goods.

" Sum of Ships 57. Sum of the Men 1187.
" and 57 *Garcions* (or Boys).

" This Service the Barons of the five Ports do
" acknowledge to owe to the King, upon Sum-
" mons yearly (if it happen) by the Space of fif-
" teen Days together, at their own Costs and
" Charges, accounting that for the first Day of
" the fifteen, in which they shall spread their
" Sails to go towards those Parts that the King
" intendeth; and to serve so long after 15 Days,
" as the King will, at his own Pay and Wages."

By the more ancient Record, mentioned by the same Author, the Cinque-Ports were subject only to five Days Service, upon forty Days previous Notice, and to provide (according to different Quota's, of them and their Appendencies) 81 Ships, armed and arrayed, with 20 Men in each Ship, besides the Master of the Mariners; all which they were to maintain during the said five Days, giving Six-pence *per* Day to the Master and Constable, and Three-pence *per* Day to all the rest: and after those five Days, the King to de-

fray

fray the Charges: but for Reasons there given, he puts more Confidence in the other Record.

Now concerning the Priviledges granted to these five Towns, and others that are incorporated with them, as above, the following Charter granted by the King *Edward* the First, in the sixth Year of his Reign 1278, will more fully demonstrate.

" *Edward*, by the Grace of God, King of " *England*, Lord of *Ireland*, and Duke of *Gas-* " *coigne*, To all Archbishops, Bishops, *&c.* and " true Subjects, greeting. You shall know, that " for the faithful Service that our Barons of the " Five Ports hitherto our Predecessors, Kings of " *England* and unto Us lately in our Army of " *Wales*, have done, and for their good Service " to us and our Heirs, Kings of *England*, truly " to be continued in time to come, We have " granted, and by this our Charter confirmed for " Us and our Heirs, to the same our Barons, and " to their Heirs, all their Liberties and Free- " doms: So that they shall be free from all Toll, " and from all Custom; that is to say, from all " *Lastage*, *Tallage*, *Passage*, *Carriage*, *Rivage*, " *Asponsage*, and from all *Wreck*, and from all " their *Sale*, carrying and recarrying through all " our Realm and Dominion, with *Socke* and " *Souke*, *Toll* and *Theme*, and that they shall have " *Infangthefe*, and that they shall be *Wreck-free*, " *Lastage-free*, and *Lovecop-free*; and that they " shall have *Denne* * and *Strande*, at Great *Yar-* " *mouth*, according as it is contained in the Or- " dinance by us thereof made perpetually to be " observed. And also that they are free from all " Shires and Hundreds: So that if any Person " will plead against them, they shall not answer

* Denne and Strande. The Fishing at great Yarmouth.

" nor

" nor plead otherwise than they were wont to
" plead in the time of the Lord King *Henry*, our
" great Grandfather: And that they shall have
" their *Findelles* in the Sea, and in the Land:
" And that they be free of all their Goods, and
" of all their Merchandizes, as our Free-men.
" And that they have their Honours in our
" Court, and their Liberties throughout all the
" Land wheresoever they shall come. And that they
" shall be free for ever of all their Lands, which in
" the time of Lord *Henry* the King our Father
" they possessed, that is to say, in the 44th Year
" of his Reign, from all manner of Summons's
" before our Justices to any manner of Pleadings,
" journeying in what Shire soever their Lands
" are: So that they shall not be bound to come
" before the Justices aforesaid, except any of the
" same Barons do implead any Man, or if any
" Man be impleaded; and that they shall not
" plead in any other Place, except where they
" ought, and when they were wont, that is to
" say, at *Shepeway*. And that they have their
" Liberties and Freedoms from henceforth, as
" they and their Predecessors have had them at
" any time better, more fully and honourably in
" the time of the Kings of *England*, *Edward*,
" *William* the First, *William* the Second, *Henry*
" the King, our Great Grandfather, and in the
" times of King *Richard*, and King *John*, our
" Grandfathers, and Lord King *Henry* our Fa-
" ther, by their Charters; as the same Charters
" which the same our Barons thereof have, and
" which we have seen, do reasonably testify. And
" we forbid, that no Man unjustly trouble them
" nor their Merchandize upon our Forfeiture of
" ten Pounds. So nevertheless, that when the

" ten

" ſame Barons ſhall fail in doing of Juſtice, or
" in receiving of Juſtice, our Warden, and the
" Wardens of our Heirs of the Cinque-Ports,
" which for the time ſhall be, their Ports and Li-
" berties may enter for to do there full Juſtice;
" ſo alſo that the ſaid Barons, and their Heirs, do
" unto us, and to our Heirs, Kings of *England*,
" by the Year, their full Service of 57 Ships at
" their Coſts by the Space of fifteen Days, at
" Summons, or at the Summons of our Heirs.
" We have granted alſo unto them, of our ſpe-
" cial Grace, that they have *Outfangthefe* in their
" Lands, within the Ports aforeſaid, in the ſame
" manner that Archbiſhops, Biſhops, Abbots,
" Earls and Barons, have in their Manors, in the
" County of *Kent*. And that they be not put in
" any Aſſizes, Juries, or Recognizances, by rea-
" ſon of their foreign Tenure againſt their Will:
" And that they be free of all their own Wines,
" for which they do travail, of our right Priſe,
" that is to ſay, of one Ton before the Maſt,
" and of another behind the Maſt. We have
" granted furthermore unto the ſaid Barons for
" us and our Heirs, That they for ever have this
" Liberty, that is to ſay, That we or our Heirs
" ſhall not have the Wardſhip or Marriages of
" their Heirs by reaſon of their Lands which they
" hold within the Liberties and Ports aforeſaid,
" for the which they do their Service aforeſaid;
" and for the which we and our Progenitors had
" not the Wardſhips and Marriages in time paſt.
" But we our aforeſaid Confirmation upon the
" Liberties and Freedoms aforeſaid, and our
" Grants following to them of our eſpecial Grace,
" of new have cauſed to be made, ſaving always
" in all things our Kingly Dignity; and ſaving

" to

"us, and to our Heirs, Plea of our Crown Life "and Member; wherefore we will, and surely "command for us and our Heirs, that the afore-"said Barons and their Heirs for ever, have all "the aforesaid Liberties and Freedoms, as the "aforesaid Charters do reasonably testify. These "being Witnesses, *&c.* Given, *&c.* at *Westmin-"ster*, the 14th Day of *June*, in the 6th Year of "our Reign."

There is mention made of several remarkable Victories at Sea, obtained by the Fleets of the Cinque-Ports over those of the *French*, in the Years 1217, 1278, 1293, and 1406; which being no way material to particularize, I shall pass by, and so conclude this Subject.

A List of the Lords Commissioners for executing the Office of Lord High Admiral of Great-Britain, *at this present Time*, viz. *First of* June 1740.

1. The Right Honourable Sir *Charles Wager*, Knt.
2. Sir *Thomas Littleton*, Bart.
3. Sir *Thomas Frankland*, Bart.
4. *Thomas Clutterbuck*, Esq;
5. Right Hon. Lord *Harry Pawlet*.
6. *John Campbell*, Esq;
7. Right Hon. Lord *Vere Beauclerc*.

The

The principal Officers and Commissioners of the Royal Navy.

1. Right Hon. *Arthur Onslow*, Esq; Treasurer.
2. *Richard Haddock*, Esq; Comptroller.
3. Sir *Jacob Ackworth*, Knt. Surveyor.
4. *Thomas Pearse*, Esq; Clerk of the Acts.
5. *George Davis*, Esq; Comptroller of the Treasurer's Accounts.
6. *John Fawler*, Esq; Comptroller of the Victualling Accounts.
7. *John Phillipson*, Esq; Comptroller of the Store-keeper's Accounts.
8. *Richard Hughes*, Esq; Commissioner at *Portsmouth.*
9. *Thomas Mathews*, Esq; Commissioner at *Chatham.*
10. *Philip Vanbrugh*, Esq; Commissioner at *Plymouth.*
11. *George Crowle*, Esq; Extra. Commissioner.

Commissioners for Victualling the Navy.

1. *Stephen Bisse*, Esq;
2. *Thomas Revell*, Esq;
3. *William Thompson*, Esq;
4. *Thomas Brereton*, Esq;
5. *Francis Eyles*, Esq;
6. *William Hayes*, Esq;
7. ——— ———

A List of the Admirals of Great-Britain, *according to their Rank on the First of* June, 1740.

Commander in Chief of his Majesty's Fleet, and Admiral of the Red,
Sir *John Norris*, Knt. 1733
Admiral of the White,
Right Hon. Sir *Charles Wager*, Knt. 1733
Admiral of the Blue,
Philip Cavendish, Esq; 1735
Vice-Admiral of the Red,
John Balchen, Esq; 1735
Vice-Admiral of the White,
Charles Stewart, Esq; ibid.
Vice-Admiral of the Blue,
Edward Vernon, Esq; 1739
Rear-Admiral of the Red,
Nicholas Haddock, Esq; 1735
Rear-Admiral of the White,
Sir *Tancred Robinson*, Knt. 1739
Rear-Admiral of the Blue,
Sir *Chaloner Ogle*, Knt. ibid.

The

An Estimate of the Value of a Ship or Vessel of each Rate of the Royal Navy with Stores and Provisions for Eight Months; and the Charge of maintaining them a Year at Sea, in Wages, Victuals, Wear and Tear, 1740.

The Charge or Value in the Offices of the Navy, Ordnance, Victualling.

Quality of Ships and Vessels.	Number of Guns and Men.		Hull, Masts and Yards.	Rigging Boatswain & Carpenters Stores, for 8 M.	Total.	Guns, Car. Ord. Stores Allowance of 40 rounds.	Additional Allowance for Powder and Shot.	Total.	Provision for 8 Mo. at 20s. *per* Man, *per* Month.	Total of Navy ordnance and Victuals.	Whole charge of maintaining a Ship or Vessel of each rate at sea, for a Year, or 13 Lunary Months, for Wages, Victuals, Wear, Tear, and Ordnance-Stores.
	G.	M.	l.	l.	l.	l.	l.	l.	l.	l.	
First Rate	100	780	27536	11600	39136	7550	611	8161	6240	53537	40560
Second	96	680	22140	10214	32354	5784	533	6317	5440	44111	35360
Third	80	520	14030	7202	21232	5089	478	5567	4161	30959	27040
	70	440	12056	6762	18818	4180	440	4620	3520	26958	22880
Fourth	60	365	9513	3352	12866	3388	277	3665	2920	19451	18980
	50	280	6489	2322	8811	2295	189	2484	2240	13535	14560
Fifth	40	190	3968	1488	5456	1395	122	1517	1520	8493	9880
	32	145	2945	1427	4372	1049	75	1124	1160	6656	7540
Sixth	24	115	1688	650	2338	759	47	805	920	4063	5980

A Continuation of the Charge or Value in the Offices of the Navy, Ordnance, Victualling.

Quality of Ships and Vessels.	Number of Guns and Men.		Rigging Boatswain, & Carpenters Stores, for 8 M.	Hull mast. and Yar.	Total.	Guns, Car. Ord. Stores Allowance of 40 rounds.	Additional Allowance for Powder and Shot.	Total	Provision for 8 Mon. at 20 l. per Man. per Month.	Total of Navy ordnance and Victuals.	Whole Charge of maintaining a Ship or Vessel of each rate at sea, for a Year, or 13 Lunary Months, for Wages, Victuals, Wear, Tear, and Ordnance-Stores.
	G.	M.	l.	l.	l.	l.	l.	l.	l.	l.	
Fireship	8	45	2025	819	2844	291	—	291	360	3495	2340
Bomb. Vess 5th R. 2 M.	12	65	2600	660	3260	3400	—	3400	520	7180	3380
Bomb. Ves. 6th R. 2 M.	4	30	1440	587	2027	3013	—	3013	240	5280	1560
Pink	6	25	419	161	580	116	—	116	200	896	1300
Ketch	10	45	540	300	840	284	—	284	360	1484	2340
Brigantine	8	35	419	297	716	106	—	106	280	1112	1820
Advice-Boat	4	40	424	492	916	100	—	100	320	1336	2080
Sloop	10	80	800	450	1250	278	—	278	640	2168	4160
Yatch	8	30	1284	400	1684	283	—	283	240	2207	1560
Hoy	2	7	500	150	650	59	—	59	56	765	364
Smack	2	4	136	41	177	59	—	59	32	268	208
Hulk	0	50	4991	2256	1247	0	—	—	400	7647	2600

An

An Explanation of the most usual Sea-terms, digested into Alphabetical Order.

A.

AFT or *Abaft.* From the Head or Fore-part of the Ship towards the Stern; as, *Carry* such a thing *abaft*; *The Mast hangs aft*; that is, towards the Stern.

How chear ye Fore and Aft? that is, How fares all the Ship's Company?

Amain, that is, *Yield:* A Term used by a Man of War to the Enemy.

Strike Amain, Lower your Top-sails.

Aloft, signifies *over-head*, or *above*.

The Anchor is foul; that is, the Cable is got about the *Fluke*, which is the flat Point, or Wings that resemble the Head of an Arrow.

The Anchor is a Pock or Peck; signifying, that it is directly under the *Hawse* (or Hole) thro' which the Cable of the Anchor runs out.

The Anchor is a Cock-Bell; that is, swings or hangs up and down by the Ship's Side.

An Awning, is a Shelter or Skreen that's made of a Sail, or such-like, supported in the Nature of a Canopy over the Deck, to keep off the Heat of the Sun.

B.

Bale; that is, Lade Water out of the Ship's Hold.

French the Ballast, to divide or separate it.

The Ballast shoots; meaning that it shifts or runs over from one Side of the Ship to the other.

To bear with the Land, &c. that is, to sail towards it.

To bear to, viz. To sail unto a Chanel or Harbour before or with the Wind.

Bring the Guns (or Ordnance) *to bear*, that is, Point them right with the Mark.

Bear up; that is, make the Ship sail more before the Wind.

Bear up round, Put her right before the Wind.

Belay, Make fast any running Rope.

Bend the Sails; that is, fasten or apply them to the Yards.

Her Sails are unbent; *viz.* Has no Sails fixed.

Bend a Cable, Make it fast.

A Birth, A convenient Place to moor a Ship in.

A Bight, is any Part of a Rope between the Ends.

The Buge, is the Breadth of the Place the Ship rests on, when she is aground.

The Ship is bilged; that is, has struck off some of her Timber on a Rock or Anchor, and springs a Leak.

A Binacle, is that whereon the Compass stands.

The Bits, are two square Pieces of Timber, to which the Cables are fastened, when the Ship rides at Anchor.

A Bitter, is a Turn of a Cable about the Bits.

A Bonnet, is an Addition of another Sail. To fasten it on, they say, *Lace on the Bonnet*. And to take it off, *Shake off the Bonnet*.

Board and Board, signifies, that two Ships come so near as to touch one another.

To

To Board a Ship, is to enter it in a hostile manner, or against the Inclination of those in her.

To go aboard, is to enter it by Consent, or in a friendly Manner.

Board it up; that is, Turn to Windward.

To break bulk, to open the Hold, and take Goods thereout.

A Buoy, is a floating Cask, or such like, which is moored at a Sand-bank, to warn Shipping against it. Also is used to every Anchor, in order to shew where the Anchor lies.

C.

To Chase, is to pursue another Ship or Vessel; and the Ship, *&c.* so pursued, is called *the Chase.*

Careening, is bringing a Ship to lie down on one side, while the other is trimmed and caulked.

Caulking, is driving Oakham, Span-hair, *&c.* into the Seams of the Ship, to keep out Water.

To Cond or *Cun*, is to direct or guide.

To Cun a Ship, is to direct the Person at the Helm how to steer her. If the Ship go before the Wind, then the Pilot, or he who cuns the Ship, uses these Terms to him that steers, according as the Case requires; *viz. Starboard*, that is, to put the Helm to the *Starboard* (or right) side, to make the Ship go to the *Larboard* (or left) side; and so of the contrary. *Port*, is to keep the same Direction of the Helm upon the Starboard or Larboard, as has been last ordered. *Helm a Midships*, is to keep the Helm in a right Line with the Ship's Head and Stern, neither inclining to Right or Left.

In keeping the Ship near the Wind, these Terms are used, *viz. Loof* (or *Luff*) *keep your Luff*; *fall not off*; *veer no more*; *keep her to*; *touch the Wind*; *have a care of the Lee-Latch.* See Letter *L.*

To make her go *more large*; they say, *Ease the Helm*; *No near*; *Bear up.*

To keep her upon the same Point; they say, *Steady*; *Thus, thus*; or *As you* go; and such like.

When she neither goes by a Wind, nor before a Wind, but betwixt both; then they make use of some one of the following Terms, which are all of the same Signification; *viz. The Ship goes Lasking*, *Quartering*, *Veering* or *Large.*

The Course, is that Point of the Compass on which the Ship sails. *What Course did you sail? viz.* On what Point of the Compass?

Courses, signify the Ship's Sails; as, *She is under a fore Course*; that is, sails with her Foremast Sails only. *Under all her Courses*, is under all her Sails.

Cut the Sail; *viz.* Unfurl it, and let it fall down.

D.

Dead Water, signifies the Eddy Water at the Stern of the Ship.

To *Disembogue*, is to go out of the Mouth of a Gulph.

To *Dispart* a Piece of Ordnance, is to find out the Difference of Diameters betwixt the Breech and Mouth of a Cannon.

The Deck is aflush afore and aft; that is, laid from Head to Stern without any Falls or Risings.

E. *End*

E.

End for End, is a Term uſed when a Rope runs all out of the Block, ſo that it is unreev'd, or all drawn out.

F.

A Fathom, is a Meaſure containing ſix Feet.

A Fack, is one Circle of any Rope or Cable quoiled up round.

To *Hand* (or *Furl*) *a Sail*, is to wrap it up cloſe together, and bind it up with little Strings, called *Caskets*, faſt to the Yard.

To *Fiſh a Maſt*, or *Yard*, is to faſten a Piece of Timber or Plank (by way of Splinter) to the Maſt or Yard, to ſtrengthen it; which Piece or Plank is called a *Fiſh*.

To *lower or ſtrike the Flag*, is to pull it down upon the Cap; and is either done in ſaluting with the utmoſt Reſpect, or in Token of yielding to an Enemy in Fight.

Free the Boat, or *Ship*; that is, bale or pump the Water out.

To *Fall off*, viz. to fall a-ſtern.

G.

The Ship's Gage, is ſo many Foot as ſhe ſinks in the Water, or ſo many Foot as ſhe draws.

Weather-Gage, is when one Ship has the Wind, or is to the Weather, of another.

To *Greave the Ship*, to bring her to lie aground to burn off her old Filth.

The Ship Gripes, viz. turns her Head to the Wind more than ſhe ſhould.

H.

The Helm is hard a Weather; that is, 'tis as far to the Weather as 'twill go.

To *Haul*, signifies to pull.

Heave over-board, is to throw any Thing out of the Ship.

To Hail a Ship, to call her Company, to know whither they are bound, *&c.* and is thus done:

Hoa the Ship! or only *Hoa!* To which they answer *Hoa!* Likewise to salute another Ship with Trumpets, *&c.* is called *Hailing*.

Fresh the Hawse, signifies to veer out more Cable, when that Part that lies the *Hawse*, or Hole thro' which it runs, is fretted or chafed.

A Hawser, is the Cable belonging to the Anchor.

Clear the Hawse, is when two Cables, that come thro' two several *Hawsers*, are twisted, and are ordered to be untwisted or freed.

To *ride thwart the Hawse*, and *upon the Hawse*, signifies when a Ship lies thwart, or cross, or with her Stern just before another Ship's *Hawse*.

To *Hitch*, is to make fast.

The Ship Heels, she inclines more to one Side than the other; as, *She heels to Larboard*, viz. inclines to the Larboard, or Left Side.

The *Hold of a Ship*, is the very lower Apartment or Division in the Bottom of the Ship, betwixt the Keelson and the lower Deck, where all Goods, Stores, *&c.* lie.

To *rumidge the Hold*, is to remove or clear the Goods, *&c.* out of it.

To *stow the Hold*, is to place Goods, *&c.* in the Hold.

To *Hoyst*, is to hawl or lift up.

To

To *Hull*, is to take in a Ship's Sails, when ſhe is at Sea.

L.

The Ship Labours; that is, rolls and tumbles much.

Land-fall, is expreſſing an Expectation of ſeeing Land.

Land-locked. is when a Ship lies within a Bay or Creek, and ſhelter'd all round by the Land, ſo that no Point is open to the View of the Sea.

Lies Land-to, is ſaid, when a Ship is at ſo great a Diſtance as only juſt to diſcern Land.

To *Laſh*, ſignifies to bind.

To Launch a Ship, is to put her forth off the Dock into the Water: But in ſome Caſes it is uſed in a negative Senſe; as,

Launch hoe, viz. hoiſt no more, when a Yard is hoiſted high enough, and that Orders are given to ſtop.

To lay the Land; that is to loſe Sight of it.

Lee Shore, is that againſt which the Wind blows.

Have a care of the Lee-Latch, viz. Take care the Ship go not out too much to the Leeward.

She lies by the Lee; that is, a Ship has all her Sails lying flat againſt the Maſts and Shrouds.

Leeward, is with the Wind, or on that Point towards which the Wind blows.

The Ship Liſts, viz. heels or inclines to one Side more than the other.

M.

Mizen, has ſeveral Words peculiar to it. The *Mizen-maſt* is that which is abaſt or neareſt to

the Stern of the Ship; and from thence every Thing belonging to that Maſt is diſtinguiſhed accordingly, as are all the other Maſts and their Rigging, *&c.* So therefore the Mizen-ſail is called the Mizen, and is thus underſtood, *viz.*

Set the Mizen; that is, Fit the Mizen-ſail.

Change the Mizen; Bring the Yard to the other Side of the Maſt.

Speek the Mizen; that is, Put the Yard right up and down the Maſt.

Spell the Mizen, Let go the Sheet, and peek it up.

To Moor a Ship, is to lay out her Anchors in ſuch a manner as ſhe may moſt conveniently ride with Safety.

N.

Neap-tides, are thoſe Tides which are in the firſt and laſt Quarter of the Moon, and are not ſo high, ſo low, nor ſo ſwift as the Spring-tides.

A Ship is beneap'd; that is, when the Water does not flow high enough to bring her from off the Ground, or over a Bar, or out of a Dock.

O.

The Offing, is to the Sea-ward from the Land; as, when a Ship, or a Fleet, is ſaid to *lie in Offing*, it means, that they from whom that Expreſſion has come, were in a Ship which lay in Harbour, or were near the Shore, when the others were to the Sea-ward of them.

Offward, ſignifies contrary to the Shore.

She ſtands for the Offing; the Ship ſails from the Shore into the Sea, or from the Land-ward to the Sea-ward.

Overſet,

Overset, is turned over.

P.

To Pay a Seam, is to lay hot Pitch and Tar on (after Caulking) without Canvas.

To a Parcel a Seam, is, after the Seam is caulked, to lay over it a narrow Piece of Canvas, and then pour hot Pitch and Tar on it.

To ride a Peek, is when the Yards are so order'd, that they seem to represent St. *Andrew*'s Cross.

To Purchase an Anchor; that is, to loosen it so as to be able to hawl it up.

The Capstern Purchases apace, viz. Draws in the Cable apace.

Q.

Quarter-winds, are when the Wind blows in abaft the Main-mast Shrouds, even with the Ship's Quarter.

A Quoil, is a Rope or Cable laid up round, one *Fack* over another; and the *Fack* is called *Quoiling*. *See* F.

R.

A Reach, is the Distance between any two Points of Land, that lie in a right Line from each other.

To Reeve, is to put a Rope through a Block; so, *Unreeving the Rope*, is to pull the Rope out of the Block.

To Ride: A Ship is said to *Ride at Anchor*, when she does not drive with the Wind or Tide, but is held fast by her Anchors.

To ride athwart, is to ride with the Ship's Side to the Tide.

To ride betwixt Wind and Tide, is when the Ship rides at Anchor, and that the Wind and Tide are contrary, and have equal Strength.

To Ride Hawse-fall, is when the Water breaks into the *Hawses* in a rough Sea.

A Road. is any Place near the Land, where Ships may ride at Anchor; from whence a Ship so riding, is called a *Roader.*

Rowse in, signifies to *Hawl in*, and is properly applicable only to the *Hawser*, or Cable, in ordering it to be made strait or *taught*, when it is slack.

S.

To Serve a Rope, is to wind something about it to preserve it from fretting or wearing out.

A Service: The Thing wound about the Rope is so called.

To Seaze, is to make fast or bind.

She Seels; that is, when on a sudden the Ship lies down on her Side, and tumbles from one Side to the other.

The Ship Sands; viz. when her Head or Stern falls deep in the *Trough*, or Hollow, of the Sea.

To Settle a Deck, is to lay it lower.

The Ship is Sewed, viz. the Water is gone from her.

The Ship Shares; that is, she goes in and out, and not right forward.

To Sound, is to try with a Line or other Thing how deep the Water is.

The Ship has spent her Masts; that is, they have been broke by foul Weather; but if a Ship lose

loſe her Maſts in Fight, it is then ſaid, Her Maſts have been ſhot by the Board.

To Splice Ropes; that is, to untwiſt two Ends of Ropes, then twiſt them both together, and faſten them by binding a String about them.

The Sails are ſplit; that is, Blown to Pieces.

The Ship Spooms; that is, Goes right before the Wind without any Sail.

Spring-tides, are the Tides at new and full Moon, which flow higheſt, ebb loweſt, and run ſtrongeſt.

The Bowſprit Steeves, viz. Stands too upright.

T.

Tack about; that is, bring the Ship's Head about to lie the other Way.

Talle aft the Sheets: A peculiar Term uſed for hawling aft the Sheets of the Main or Fore-ſail.

A Windward-tide, is a Tide that runs againſt the Wind.

Taught, ſignifies the ſame as ſtrait, tight, or ſecure.

A Leeward-tide, when the Wind and Tide go both one Way.

A Tide-gate, is ſo called, where the Tide runs ſtrong.

To Tide it up, is to go with the Tide againſt the Wind; and on the Tide's altering, to lie at Anchor till it ſerves again.

It flows Tide and Half-tide; that is, it will be High Water ſooner by three Hours by the Shore, than in the Offing.

To Tow; that is, to drag any Thing after the Ship or Boat.

The Ship's Traverſe, is her Way.

V. *To*

V.

To Veer; that is, to let out; as, Veer more Cable, *&c.*

The Wind Veers; viz. It ſhifts or changes about from one Point to another.

W.

The Ship Wears well; that is, anſwers her Helm well.

The Wake of the Ship, is the dead Water that follows the Ship.

The Ship is Walt, viz. She wants Ballaſt.

To Weather a Ship; that is, to go to Windward of her.

To Wind a Ship, viz. To bring her Head about.

How Winds the Ship? that is, Upon what Point of the Compaſs does ſhe lie with her Head?

To Warp a Ship in or out of Harbour, is to carry her againſt the Wind by means of carrying out an Anchor in the Boat, and dropping it; then to hawl upon it; and ſo to carry out another Anchor, after the Ship is come up to the firſt Anchor.

To Would; that is, to bind Ropes about the Maſt, or the like, to keep on a Fiſh, or ſtrengthen it.

Y.

The Ship Yaws, viz. She goes in and out, and does not ſteer ſteady.

Younkers, are the young Fore-maſt-men.

Duty of a Boatswain.

1. HE is to relieve the Watch at the usual Hours, and to take Care that they perform their Duty.

2. He is to receive into his Charge the Stores belonging to the Ship, and to be careful of them.

5. He is to take Charge of the Ship from the Time of his Appointment thereto, until she is brought into Dock and laid up.

4. At the End of the Voyage he is to pass his Accounts; and if he has any Complaints to represent against Officers, he is to do it before the Ship is paid off.

5. Before he signs any Papers, he is to be thoroughly satisfied of the Truth of their Contents, and not unwarily to sign any.

Duty of the Master-Sail-Maker.

1. UPON all Surveys and Conversions of the Sails, he is to give due Attendance, and to examine the Sails.

2. He is to take care that they be not damaged in the Store-room, and to keep them always in good Condition.

3. At the End of the Voyage, he is to attend when they are returned into the Stores.

4. He is to be entered by Warrant from the Navy Board.

The Names of the Masts Yards, and Ropes of Rigging, respectively belonging to each Mast and Yard of a three Mast Ship.

Rigging to the Bow-sprit and Sprit-sail-yard.

Sheets.	Standing Lifts.
Horse.	Garnets.
Clulines.	Standing Lifts.
Slings for the Yard.	Penants for Braces.
Hallyards.	Falls to them.
Lifts.	Wouldings.
Garnets.	Buntlines.

Rigging to the Sprit-sail-top-mast, and Sprit-sail-top-sail-yards.

Shrouds.	Clulines.
Lanyards.	Penants of the Back-stays.
Penants of Braces.	Falls to them.
Falls to them.	Lifts.
Tyes.	Parrel-rope.
Hallyards.	

Rigging to the Fore-Mast and Fore-yard.

Penants of Tackles.	Falls to them.
Runners of Tackles.	Buntlines.
Falls of Tackles.	Sheets.
Shrouds.	Tacks.
Lanyard.	Lifts.
Stay.	Lichlines.
Coller.	Geeres.
Lanyard.	Leg of the Catarpings.
Puttocks.	Falls to them.

Rigging

Rigging to the Fore-maſt and Fore-yard, continued.

Parrel-Rope.
Clugarnets.
Bowlines.
Bridles.
Penants for Braces.
Stoppers of the Top-ſail Sheets.
Tye.
Hallyards.

Rigging to the Fore-top-Maſt, and Fore-top-ſail-Yard.

Penants of Top-Rope.
Falls to the ſame.
Shrouds.
Lanyards.
Stay.
Lanyard.
Clulines.
Penant of Tackles.
Falls to them.
Sheets.
Parrel-Rope.
Lichlines.
Lifts.
Puttocks.
Tye.
Runner.
Hallyards.
Bowlines.
Bridles.
Braces.
Penant.
Buntlines.
Stand-back-Stays.
Lanyards.

Rigging to the Fore-top-gallant-Maſt, and Fore-top-gallant-Yard.

Stay.
Tye.
Hallyards.
Lifts.
Braces.
Clulines.
Bowlines.
Bridles.
Parrel-Rope.
Shrouds.
Lanyards.

Rigging

Rigging to the Main-Maſt and Main-Yard.

Penant of Tackle.
Runners of Tackle.
Falls of Tackle.
Lifts.
Shrouds.
Lanyards.
Jack's Taper laid.
Sheets.
Clugarnets.
Bowlines.
Bridles.
Penants of Braces.
Falls Geeres.
Parrel-Rope.
Lichlines.
Buntlines.
Slabline.
Stay.
Coller,
Lanyards.
Penant of Garnet.
Guy.
Fall of the Garnet.
Puttocks.
Legs of Catarpings.
Falls to them.
Stoppers of Fore-ſheets.
Tackles to ſet up Shrouds.
Buſing Tackles.
Tye.
Hallyards.

Rigging to the Main-top-Maſt, Main-top-ſail-Yard, and Croſs-jack-Yard.

Penant of Tackle.
Falls to them.
Shrouds,
Lanyards.
Stand-back-Stays.
Lanyards.
Stay.
Lanyards.
Lifts.
Braces.
Penant.
Puttocks.
Parrel-Rope.
Bowlines.
Bridles.
Penants of Top-Rope.
Falls to them.
Clulines.
Tye.
Runners.
Hallyards.
Lichlines.
Buntlines.
Sheets.

Rigging

Rigging to the Main-top-gallant-Maſt, and Main-top-gallant-Yard.

Stay.
Braces.
Bowlines.
Bridles.
Parrel-Rope.
Tye.
Hallyards.
Clulines.
Lifts.
Shrouds.
Lanyards.

Rigging to the Mizen-Maſt, and Mizen-Yard.

Shrouds.
Lanyards.
Stay.
Lanyards.
Hallyards.
Parrel-Rope.
Truſs.
Sheet.
Tack.
Bowlines.
Brayles.

Rigging to the Graggick.

Lifts.
Braces.
Standing Lifts.
Lanyards.

Rigging to the Mizen-top-Maſt, and Mizen-top-ſail-Yard,

Shrouds.
Lanyards.
Puttocks.
Braces.
Bowlines.
Bridles.
Penant of the Fiſh-hook Rope.
Falls of the ſame.
Stop at the Bow.
Shank Panter.
Stop at the Bits.

Rigging

Rigging to the Mizen-top-Maſt, and Mizen-top-ſail-Yard, continued.

Tye.	Lanyards.
Hallyards.	Vial.
Lifts.	Penant of the Wind-Jack.
Parrel-Rope.	Falls of the Iame.
Stay.	By-Ropes.
Clulines.	
Cat-Rope.	

Directions for fitting a Ship of any Burthen with Maſts and Rigging, by Mathematical Rules of Proportion.

AS Sea-faring People are ſubject to a great many Caſualties, and unexpected Misfortunes, more than the reſt of Mankind; and that, next to the Loſs of Life or Liberty, none can be greater than the Loſs of a Ship upon a ſtrange Coaſt: It may not therefore be improper to furniſh the Reader with Inſtructions how to repair the Maſts and Rigging that have been damag'd or deſtroy'd, or to thorough-rig a Ship or Hulk, of any Burthen, according to certain Rules of Proportion; ſince it has often fallen out, that notwithſtanding a ſhipwreck'd Crew have by Accident found the Hulk of another Ship, or that the Whole of their own has been preſerved; yet for want of ſome competent Skill in fitting her up, they have been deprived of the Benefit of making one or t'other fit for Service, to relieve them in their preſent Exigency: The due Rigging of a Ship being the principal

principal Article on which her Navigation depends; for if the Hulk be but ſtaunch, though otherwiſe ill proportion'd and deform'd, yet if ſhe ſwims, thoſe Defects can be very much remedied by giving her a proper Trim in the Rigging; whereas, on the other Hand, the beſt proportion'd and moſt beautiful Hulk will not ſail well, unleſs properly rigg'd.

The Method of fitting her with proper Rigging depending upon a Knowledge of her Burthen, I ſhall firſt lay down a Rule for finding the Burthen, *viz.*

1. Multiply the Length of the Keel, and the Breadth of the Beam from Plank to Plank, one by the other. 2. Multiply the Product by the Depth of the Hold. 3. Divide the laſt Product by 100, if for King's Tonnage, or 95, if for Merchant's Tonnage, and the Quotient is the Burthen of the Ship; or elſe, inſtead of Diviſion. cut off two Figures of the laſt Product to the Right Hand, and the Ship's Burthen is contained in thoſe remaining on the Left.

But obſerve this; That if a Ship be true rigg'd according to Art or Proportion, her Burthen may be known without taking the Length of her Keel, *&c.* as will appear from the Proportion of her Maſts-lengths, by the following Rules.

The proper Lengths for the Maſts of a Ship in Proportion to her Burthen, which is firſt known by meaſuring the Length of her Keel, and Breadth of her Beam, as already directed.

THE Length of the Main-maſt ſhould contain Two-thirds of the Length of the Keel, and the Breadth of the Beam.

Eight

Eight Ninth-parts of the Length of the Main-masts, is the true Length of the Fore-mast, or Bow-sprit.

Three-fourths the Length of the Fore-mast, gives the Length of a Mizen-mast.

Half the Length of the Keel, and the Breadth of the Beam, is the Length of the Main-yard.

Eight Ninth-parts of the Length of the Main-yard, is the Length of the Fore-yard.

Five-eighths of the Length of the Main-yard, is the Length of the Spritsail-yard.

The Craggick-yard, Two-thirds of the Length of the Main-yard.

Their Proportions in Thickness are thus.

Every Mast ought to be one Inch thick in the Partners, for every three Foot in Length; in the Middle Seven-eighths, and at the Head Three-fourths.

Proportional Rigging for Masts.

For the Fore-mast.

The first Length of the Shrouds is Two-thirds of the Length of the Mast; and afterward, as they rise upon the Head of the Mast, so give Allowance.

The Length of the Penants, if single, is half the Length of the Shroud; but if double Penants, then Two-thirds.

The Length of the Stay, is the Length of the Mast.

Thrice the Length of the Shrouds, is the Length of the Lists.

The

The Clugarnets three times the Length of the Shrouds.

The Length of the Buntlines, is twice the Length of the Maſt, from the Deck to the Croſs Trees.

One Length and One-fifth of the Yard, for the Length of Legs and Horſes.

Twice the Length of the Main-yard, is the Length of the Lichlines.

Length of the Braces, is twice the Length of the Main-yard.

For the Length of the Jeers, four times the Length of the Maſt.

Two-thirds of the Yard, the Length of the Parrel-rope.

The Length of the Fore-ſheets, two and a half the Length of the Main-yard.

The Length of the Buntlines, is twice the Length of the Main-yard.

Fore-top-maſt Rigging.

The Length of the Penants, is One-third the Length of the Shrouds.

Once the Length of the Maſt for the Length of the Shrouds.

The Length of the Burtons, is one the Length of the Fore-yard.

Half the Length of the Top-ſail Yard, is the Length of the Penants of the Burtons; and twice the Length of the Yard, the Length of the Falls for them.

For the Lifts, twice and a half the Length of the Fore-yard.

For the Cluline, thrice the Length of the Yard.

The Length of the Braces, twice and a half the Length of the Fore-yard.

For

For the Bowlines, twice the Length of the Fore-yard.

The Length of the Lichline, is twice the Length of the Foretop-ſail Yard,

For the Topſail-ſheet, twice the Length of the Main-yard.

The Length of the Tye, is once the Length of the Top-maſt.

Once and a half the Length of the Fore-yard, is the Length of the Runner.

For the Hallyards, thrice the Length of the Fore-yard.

The Length of the Stay, is once and One-third the Length of the Maſt.

The Length of the Back-ſtays, is once and a half the Length of the Fore-yard.

For the Buntlines, twice the Length of the Fore-yard.

Rigging for the Fore-top-gallant Maſt.

For the Length of the Shrouds, once the Length of the Maſt, from the Croſs-trees to the Feed-hole.

The Length of the Stay, is once and a half the Length of the Fore-yard.

Three Lengths of the Maſt, is the Length of the Lifts.

Two Lengths and a half of the Fore-yard, is the Length of the Braces.

The Length of the Bowlines is the ſame of the Braces.

The Length of the Hallyards is the ſame likewiſe.

Rigging

Rigging for the Main-maſt.

The Length of the Shrouds, is the Length of the Penants; if double, then Two-thirds of the Shrouds.

The Length of the Shrouds, is Two-thirds the Length of the Maſt.

The Length of the Maſt, and One Eighth-part of the Length of the Maſt, is the Length of the Stay.

The Length of the Jeers is four times the Length of the Maſt, from the Deck to the Croſs-trees; but if four-fold Jeers, then five times the Length of the Maſt.

The Length of the Studding-ſail Hallyards, is one Length and a half of the Main-yard.

The Length of the Stay-ſail Hallyards, is two Lengths and Two-thirds of the Main-maſt.

One Length and One-fifth of the Yard, is the Length of the Horſes.

Two-thirds of the Length of the Yard, is the Length of the Parrel-ropes.

Thrice the Length of the Main-yard, is the Length of the Lifts.

Two Lengths and a half of the Main-yard, is the Length of the Braces.

The Bowlines equal to the Length of the Main-yard.

The Clugarnet is two Lengths and a half of the Main-yard.

Buntlines for Falls and Legs muſt be four times the Length of the Maſt.

The Length of the Lichlines is twice the Length of the Main-yard.

The Tacks and Runners muſt be the ſame Length of the Main-yard.

Two

Two and a half Lengths of the Main-yard, is the Length of the Sheets.

The Knaveline is twice the Length of the Maſt.

The Length of the Slabline, is twice the Length of the Maſt.

Rigging for the Main-top-maſt.

The Length of the Top-ſail-ſheets, is twice the Length of the Main-yard.

The Length of the Penants, is half that of the Shrouds.

The Shrouds equal to the Length of the Maſt.

The Length of the Stay, is one Length and a half of the Maſt.

The Length of the Braces, is two and a half Lengths of the Main-yard.

The Length of the Burtons, is one third of the Length of the Main-yard; Pendants of the Burtons, half the Length of the Top-ſail-yard; and two Lengths and one third of the Main-yard, is the Length of the Falls for Burtons.

Two Lengths and a half of the Main-yard, is the Length of the Lifts.

The Length of the Buntlines, is twice the Length of the Main-yard: That of the Cluelines, is thrice its Length.

One Length of the Top-maſt-ſhroud, is the Length of the Tye.

The Length of the Runners is one Length of the Main-yard.

The Hallyards are three Lengths thereof.

Twice the Length of the Top-ſail-yard is the Length of the Lichlines.

The Length of the Buntlines is twice the Length from the Deck to the Hounds.

The

The Length of the Top-rope is one Length and a fourth of the Main-ſhrouds.

Four Lengths of the Main-maſt is the Length of the Top-rope-fall.

The Length of the Penants for Braces is one third of the Top-ſail yard.

The Backſtays Length is one and a half of the Yard.

Rigging for the Main-top-gallant Maſt.

The Length of the Shrouds is one Length of the Maſt, from the Croſs-trees to the Heel.

The Length of the Stay is two Lengths and a fourth of the Top-maſt-ſhrouds.

The Length of the Braces is two Lengths of the Main-yard.

The Lengths of the Top-gallant-maſt is the Length of the Lifts.

The Length of the Bowlines is twice the Length of the Main-yard.

The Length of the Parrel-rope is one Length of the Yard.

The Length of the Top-rope is two Lengths of the Main-yard;

That of the Tye is of the ſame Length with the Maſt.

The Length of the Hallyards, if ſingle, is one Length and two thirds of the Main-yard; but if double, then two Lengths and a fourth.

Rigging for the Mizen-Maſt.

The Length of the Shrouds is the ſame of the Maſt.

That of the Burton-fall is the Length of the Main-yard.

The

The Length of the Hallyards, is four Lengths of the Maſt from the Deck to the Croſs-trees.

The Length of the Sheet is one Length and one third of the Yard.

The Length of the Brayles is two Lengths of the Maſt, from the Deck to the Croſs-trees.

About three Fathoms is the Length of the Tack.

The Length of the Penants is half the Length of the Shrouds.

The Length of the Bowlines is the Length of the Croſs-jack-yard.

The Length of the Stay is the Length of the Maſt, ſaving the Head of the Maſt, in caſe it ſteps in the Hold.

Rigging for the Mizen-top-Maſt.

The Length of the Shrouds is the Length of the Maſt, from the Croſs-trees to the Heel.

The Length of the Penants is one third of the Shrouds.

The Length of the Stay is one Length and a half of the Maſt.

Three Lengths of the Maſt is the Length of the Lifts.

The Length of the Braces is one Length and a third of the Mizen-yard.

The Length of the Bowlines is one Length and a half of the Croſs-jack-yard.

The Length of the Sheets is two and a half of the Croſs-jack-yard.

The Length of the Croſs-jack-braces (if ſingle) is two Lengths and a half of the Croſs-jack-yard; but if double, is two Lengths and a half of the Mizen-yard.

The

The Length of the Tye is one Length of the Top-maſt, from the Croſs-trees to the Heel.

The Length of the Hallyards is one Length and two thirds of the Mizen-yard.

The Length of the Cluelines is two Lengths and a half of the Croſs-jack-yard.

Rigging for the Sprit-ſail-top-Maſt.

The Length of the Shrouds is one Length of the Maſt, from the Heel to the Croſs-trees.

The Length of the Tye is one Length of the Maſt.

The Length of the Hallyards is thrice the Length of the Maſt.

The Lifts is three Lengths of the Maſt likewiſe.

The Length of the Cluelines is twice the Length of the Sprit-ſail-yard.

The Length of the Braces is the ſame.

The Pendant of the Craneline is half the Length of the Maſt.

A TABLE *of Proportion for the Diameters of the Thickness of Ship-masts (in Inches) in the Partners, in the Middle and in the Heads; (according to their Lengths) from* 10 *to* 100 *Feet long.*

Length in Feet.	Thickness in the Partners.	Thickness in the middle.	Thickness in the Head.
10	3 1/3 2/3	3	2 1/3 2/3
11	3	3 1/3 4/8 2/3	2
12	4	3	3 1/4
13	4 1/3	3 2/3	3 1/3 2/3
14	4 2/3	4	3
15	5	4 1/3 2/3	3
16	5 1/3	4	4 1/4
17	5 2/3	5	4 1/2
18	6	5 6/8	4 3/4
19	6 1/3	5 1/3 2/3	4
20	6 2/3	5	5 1/4
21	7	6	5 1/2
22	7 1/3	6 1/3	5 3/4
23	7 2/3	6 2/3	5
24	8	7	6
25	8 1/3	7 7/8	6 1/4
26	8 2/3	7 1/3	6 1/2
27	9	7 2/3	6 3/4
28	9 1/3	8	7
29	9 2/3	8 1/3	7 1/4
30	10	8 2/3	7 1/2
31	10 1/3	9	7 3/4
32	10 2/3	9 1/3	8
33	11	9 2/3	8 1/4
34	11 1/3	10	8 1/2
35	11 2/3	10 2/8	8 3/4
36	12	10 1/3	9
37	12 1/3	10 2/3	9 1/4
38	12 2/3	11	9 1/2
39	13	11 1/3 2/3	9 3/4
40	13 1/3	11	10
41	13 2/3	12	10 1/4
42	14	12 3/8	10 1/2
43	14 1/3	12 1/3	10 3/4
44	14 2/3	12 2/3	11
45	15	13	11 1/4
46	15 1/3	13 1/3	11 1/2
47	15 2/3	13 2/3	11 3/4
48	16	14	12
49	16 1/3	14 1/3	12 1/4
50	16 2/3	14 5/8	12 1/2
51	17	14 2/3	12 3/4
52	17 1/3	15	13
53	17 2/3	15 1/3	13 1/4
54	18	15 2/3	13 1/2
55	18 1/3	16	13 3/4
56	18 2/3	16 1/3	14
57	19	16 4/8	14 1/4
58	19 1/3	16 2/3	14 1/2
59	19 2/3	17	14 3/4
60	20	17 1/3	15
61	20 1/3	17 2/3	15 1/4
62	20 2/3	18	15 1/2
63	21	18 1/3	15 3/4
64	21 1/3	18 2/3	16
65	21 2/3	19	16 1/4
66	22	19 2/8	16 1/2
67	22 1/3	19 1/3	16 3/4

Thickness

Length in Feet.	Thickness in the Parners.	Thickness in the middle.	Thickness in the Head.
68	22 2/3	19 2/3	17
69	23	20	17 1/4
70	23 1/3	20 1/3	17 1/2
71	23 2/3	20 2/3	17 3/4
72	24	21	18
73	24 1/3	21 1/3	18 1/4
74	24 2/3	21 2/3	18 1/2
75	25	22	18 3/4
76	25 1/3	22 2/3	19
77	25 2/3	22 1/3	19 1/4
78	26	22 2/3	19 1/2
79	26 1/3	23	19 3/4
80	26 2/3	23 1/3	20
81	27	23 4/3	20 1/4
82	27 1/3	23 2/3	20 1/2
83	27 2/3	24	20 3/4
84	28	24 1/3	21

Length in Feet.	Thickness in the Parners.	Thickness in the middle.	Thickness in the Head.
85	28 1/3	24 2/3	21 1/4
86	28 2/3	25	21 1/2
87	29	25 1/3	21 3/4
88	29 1/3	25 2/3	22
89	29 2/3	26	22 1/4
90	30	26 1/3	22 1/2
91	30 1/3	26 1/2	22 3/4
92	30 2/3	26 2/3	23
93	31	27	23 1/4
94	31 1/3	27 1/3	23 1/2
95	31 2/3	27 2/3	23 3/4
96	32	28	24
97	32 1/3	28 1/3	24 1/4
98	32 2/3	28 2/3	24 1/2
99	33	29	24 3/4
100	33 1/3	29 1/3	25

Abstract of the Proclamation issued by the Lords Justices, the 19*th of* June, 1740. *appointing the Distribution of Prizes,* &c. *taken, and the Bounty for taking Ships of War of the Enemy, in pursuance of the Act of Parliament, made last Sessions,* For Securing and Encouraging the *British* Trade to *America,* and for the Encouragement of Seamen, *&c.*

THAT the neat Produce of all Prizes taken by his Majesty's Ships of War, and Bounty-Money for Prisoners taken in such Prizes, be divided in eight equal Parts, and distributed as follows:

1. To the Captain actually on Board at the Time of taking any Prize, three Eighth-parts.

But if taken by a Ship under Command of a Flag, then such Flag-Officer is to have one of the said eight Parts, and the other two are to go to the Captain aforesaid.

2. To the Captains of Marines and Land-forces, Sea-Lieutenants, and Master, one Eighth-part, to be divided among them in equal Shares.
3. To the Lieutenants and Quarter-Masters of Marines, and Lieutenants, Ensigns and Quarter-Masters of Land-Forces, Boatswain, Gunner, Purser, Carpenter, Master's Mate, Chirurgeons and Chaplain, one Eighth-part.
4. To the Midship-men, Carpenters, Mates, Boatswain's Mates, Gunner's Mates, Master at Arms, Corporals, Yeomen of the Sheets, Coxswain, Quarter-master, Quarter-master's Mates, Chirurgeon's Mates, Yeomen of the Powder-Room, and Serjeants of Marines or Land-Forces, one Eighth-part.

5. To

5. To the Trumpeters, Quarter-Gunners, Carpenter's Crew, Steward, Cook, Armourer, Steward's Mate, Cook's Mate, Gunſmith, Cooper, Swabber, ordinary Trumpeter, Barber, able Seamen, ordinary Seamen, and Marine or other Soldiers on Board, two Eighth-parts.

The Shares of abſent Sea-Captains, Inferior Commiſſion, or Warrant Sea-Officers, to be caſt into the Shares laſt-mentioned.

Any Officer on Board ſuch of his Majeſty's Ships of War, having more Commiſſions or Offices than one, is to be intitled only to the Share belonging to his ſuperior Commiſſion, according to the foregoing Regulations.

All Commanders of Ships of War taking any Prize, are to tranſmit, as ſoon as may be, to the Commiſſioners of the Navy, a true Liſt of the Officers and Men actually on Board at the taking of ſuch Prize, inſerting therein the Quality of every Perſon's Service; which Liſt is to be ſubſcribed by the Captain or commanding Officer, and three or more of the chief Officers on Board.

The Commiſſioners of the Navy, or any three or more of them, on Condemnation of ſuch Prize, are to examine ſuch Liſt by the Ship's Muſter-book, to ſee that they agree in every reſpect; and upon Requeſt made to them, are to grant a Certificate of the Truth of any Liſt tranſmitted to them, to the Agents appointed by the Captors, purſuant to the Act of Parliament before mentioned: Alſo, to give ſuch Agents Liſts from the Muſter-book, and to be otherwiſe aiding and aſſiſting to them, as ſhall be neceſſary towards furthering the Payments of the ſaid Shares.

A List *of the* Royal Navy *of* Great-Britain, *as it stood on the 1st of* July, 1740.

Rates.	Guns.	Ships Names.	Complement of Men. Highest.	Lowest.
1	100	Royal Ann	850	650
		Britannia		
		Royal George		
		London		
		Royal Sovereign		
		Victory		
		Royal William		
2	90	Barfleur	750	660
		Blenheim		
		St George		
		Prince George		
		Marlborough		
		Namure		
		Neptune		
		Prince		
		Princess Royal, *formerly the* Princess		
		Ramilles		
		Sandwich		
		Duke, *formerly the* Vanguard		
		Union		
3	80	Princess Amelia, *formerly the* Humber	600	520
		Boyne		
		Princess Carolina, *formerly the* Ranelagh		
		Cambridge		
		Chichester		
		Cornwal		
		Cumberland		
		Devonshire		
		Dorsetshire		
		Lancaster		
		Newark		
		Norfolk		
		Russel		
		Shrewsbury		
		Somerset		
		Torbay		

Rates.

Rates.	Guns.	Ships Names.	Complement of Men. Highest.	Lowest.
3	70	Berwick	480	380
		Bedford		
		Breda		
		Burford		
		Buckingham		
		Captain		
		Elizabeth		
		Essex		
		Edinburgh		
		Prince Frederick		
		Grafton		
		Hampton Court		
		Ipswich		
		Kent		
		Lenox		
		Monmonth		
		Nassau		
		Northumberland		
		Royal Oak		
		Orford		
		Revenge		
		Suffolk		
		Sterling-Castle		
		Yarmouth		
4	60	Canterbury	400	340
		Dunkirk		
		Dreadnought		
		Defiance		
		Exeter		
		Kingston		
		Lion		
		Princess Mary, *formerly the* Mary		
		Medway		
		Montague		
		Nottingham		
		Plymouth		
		Rupert		
		Rippon		
		Sunderland		
		Superbe		
		Windsor		
		York		
		Centurion		
		Deptford		
		Pembroke		
		Swallow		
		Tilbury		

Rates.

Rates.	Guns.	Ships Names.	Complement of Men. Higheſt.	Loweſt.
4	60	Warwick	400	340
		Burlington		
		Dragon		
		Jerſey		
		Strafford		
		Weymouth		
		Worceſter		
	50	Advice	300	250
		Aſſiſtance		
		Saint Albans		
		Antelope		
		Argyle		
		Briſtol		
		Chatham		
		Colcheſter		
		Cheſter		
		Dartmouth		
		Falkland		
		Falmouth		
		Greenwich		
		Gloceſter		
		Guernſey		
		Hampſhire		
		Litchfield		
		Leopard		
		Newcaſtle		
		Nonſuch		
		Norwich		
		Oxford		
		Portland		
		Preſton		
		Panther		
		Romney		
		Ruby		
		Rocheſter		
		Saliſbury		
		Severn		
		Sutherland		
		Tyger		
		Woolwich		
		Wincheſter		

All the foregoing are of the Line of Battle.

Rates.

Rates.	Guns.	Ships Names.	Compliment of Men. Highest.	Lowest.
5	44	Anglesea	250	250
		Adventure		
		Torrington, *formerly the* Charles Galley		
		Diamond		
		Dover		
		Enterprize		
		Folkstone		
		Fovey		
		Feversham		
		Cosport		
		Hastings		
		Hector		
		Ludlow-Castle		
		Love		
		Lark		
		Princess Louisa, *formerly the* Lancaster		
		Lynn		
		Mary-Galley		
		Pearl		
		Roebuck		
		Saphire		
		South-Sea-Castle		
		Portsmouth		
		Southampton		
		Kinsale		
	30	Mermaid		
	22	Aldborough	140	130
		Tartar		
	20	Dolphin	140	120
		Lowestoff		
		Experiment		
		Blandford		
		Biddeford		
		Deal-Castle		
		Dursley-Galley		
		Flamborough		
		Fox		
		Gibraltar		
		Greyhound		
		Garland		
		Lyme		
		Phœnix		
		Rose		
		Rye		
		Sea-Horse		

Rate.

Rates.	Guns.	Ships Names.	Compliment of Men. Highest.	Lowest.
6	20	Seaford	140	120
		Scarborough		
		Sheerness		
		Shoreham		
		Squirrel		
		Winchelsea		
		Lively		
		Port-Mahon		
		Solebay		
		Success		
		Kennington		

FIRESHIPS.

8	Bridgwater	55
	Griffin	
	Poole	
	Solebay	

BOMBS.

6	Salamander	Swiv. 1		
Car.		Mor. 2	40	
Ditto.	Terrible	Ditto.		
4	Thunder	Mor. 1		

STORESHIP.

20	Success	90

SLOOPS.

4	Bonetta	Swiv. 8	40
6	Cruiser	Swiv. 4	45
4	Drake	Swiv. 10	100
	Fly		
6	Hawk	Swiv. 4	45
10	Happy	Swiv. 16	80
4	Otter	Swiv. 4	45
10	Shark	Swiv. 4	80
4	Swift	Swiv. 4	45
6	Spy	Swiv. 4	45
8	Trial	Swiv. 6	100
	Wolf		
	Grampus		
	Hound		
	Saltash		
6	Spence	Swiv. 10	80
	Alderney		
6	Weasle	Swiv. 4	45
4	Fernet	Swiv. 4	40

Guns,

Guns.	YATCHTS.	Men.
10	Royal Caroline.	50
12	Dublin	40
10	William and Mary	40
8	Fubbs	40
8	Charlotte	30
8	Katharine	30
8	Mary	30

SMACKS.

Mary
Royal Escape.

Total of the foregoing Particulars.

Rates.	Guns.	No.
1	100	7
2	90	13
3	80	16
	70	24
	60	30
4	50	34
Line of Battle—		124
5	44	25
	30	2
6	20	29
Fireships		4
Bombs		3
Store-ships		2
Sloops		19
Yatchts		7
Smacks		2
		215

N. B. *Besides the several new Twenty-gun Ships, which are building, there are above twenty Small-craft, besides ten or twelve Hulks.*

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